


**The Defence of the Settlers of
Honduras Against the Unjust and
Unfounded Representations of
Colonel George Arthur, Late
Superintendent of That Settlement**

Principally Contained in His Correspondence
Relative to the Condition and Treatment Of the
Slaves Of



BRITISH HONDURAS. CITIZENS



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Against the Unjust and Unfounded
Representations of Colonel George Arthur,
Late Superintendent of That Settlement**





THE
DEFENCE
OF THE
SETTLERS OF HONDURAS
AGAINST THE UNJUST AND UNFOUNDED
REPRESENTATIONS

OF
COLONEL GEORGE ARTHUR,
LATE SUPERINTENDENT OF THAT SETTLEMENT.

PRINCIPALLY CONTAINED IN HIS CORRESPONDENCE RELATIVE
TO THE CONDITION AND TREATMENT OF THE SLAVES AT
HONDURAS, 1820—1823, AND PRINTED BY ORDER
OF THE HOUSE OF COMMONS, 16TH JUNE, 1823.

PUBLISHED BY ORDER OF THE INHABITANTS OF HONDURAS, AND BY WHOM
RESOLUTION EVERY MEMBER OF THE IMPERIAL PARLIAMENT IS TO BE
PRESENTED WITH A COPY.

"When those, whom Heav'n distinguishes o'er millions,
And showers profusely pow'r and splendor on them,
Whate'er th' expanded heart can wish; when they,
Accepting the reward, neglect the duty,
Or worse—pervert those gifts to deeds of ruin;
Is there a wretch they rule so base as they?
Guilty at once of sacrilege to Heav'n,
And of perfidious robbery to Man!"

MALLET.

TO WHICH IS ADDED (BY THE PRINTER)
AN ACCOUNT OF THE DESCENT OF THE SPANIARDS
ON THE SETTLEMENT IN THE YEAR 1798.

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PART THE FIRST.

SETTING FORTH THE GENERAL CONDUCT OF COLONEL ARTHUR,
HIS SYSTEM OF GOVERNMENT IN HONDURAS, AND CONTAINING
A REPUTATION OF THE UNJUST CHARGES BROUGHT BY HIM
AGAINST THE SETTLEMENT; ALSO SHEWING THE GENERAL
FIDELITY AND GOOD CHARACTER OF THE NEGROES OF HON-
DURAS.

He is a man———
"Subtle and shrewd, he offers to the world
An artificial image of himself,
And he with ease can vary to the mind
Of different men its features."

DOUGLAS.

IN these awful times, when the inhabitants of the Colonies of Great-Britain are laboring under the pressure of difficulties that shake them to the foundation, and are held up, by the misrepresentations and falsehoods of a few designing characters, to the eyes of their country as the most odious despots, it is not to be wondered at that the Inhabitants of Honduras should feel the shock of such dire convulsions; but yet they feel proud in asserting, that they have never (although the Settlement may now be considered to be of near two centuries' standing) been forced upon the view of the People of Great-Britain, until the recent call in the House of Commons has brought forth the correspondence of Colonel Arthur with his Majesty's Secretary of State; a correspondence containing the most unjust assertions, drawing the most odious but specious conclusions, and combined with such fatal ingenuity, as to give throughout his statement the appearance of the greatest cruelties having been exercised, and that the hand of oppression lay heavily on the heads of our once contented and happy Negroes, and which, from the too many inducements held out to complain, and the ready ear given by

that Officer to all, without the least distinction, have, sorry are we to declare, excited thoughts and expectations contrary to their happiness and comfort.

Of all the British establishments in the West-Indies it may, without fear of contradiction, be said, that we have given the least trouble to the Mother-Country, and required the least interference of our Government; and after having, with little or no assistance or protection, sprung from nothing to our present state of comparative importance, with regret and astonishment we find the country held up to obloquy, the aid of Government loudly called for, the most energetic measures declared necessary to be resorted to, the most sacred rights of Britons about to be violated, and the laws of the country on the verge of being altered without the consent of the people, and all under the specious pretext of suppressing evils which never existed; but which, from the letters of Colonel Arthur to the Secretary of State (that have met the public eye, together with many others replete with injustice to us, which most probably never will), have induced our Government to believe that we are little better than barbarians, and that our Slaves are sinking under the iron hand of oppression.

We are at a loss to conceive reasons for the deep rancor of Colonel Arthur towards the major part of the inhabitants of a place where he was almost deified—where princely homage was constantly rendered him, on account of the unlimited authority and confidence which he continually impressed on the Settlers, were reposed in him by Earl Bathurst; a place where votes of adulation were constantly presented, money voted him, his salary raised; yet, notwithstanding this, all was insufficient to conciliate his favor or gain his good will, but he condemns the whole Settlement indiscriminately in his unworthy dispatches.

We shall now quote the various passages to which we allude, and then endeavour to expose him and his views in their true colors:—First, then, in his letter to Earl Bathurst, dated October 7, 1820:—Speaking of the case of one individual, he says, “I was called upon to make some observations upon the extreme inhumanity of many of the lower class of Settlers, residing in the town of Belize, towards their Slaves; and, as it appeared to be an evil greatly increasing, I submitted at the same time the total inadequacy of the Courts of this Settlement to check this vicious disposition.” Again, he says in the same letter, referring to his report to Earl Bathurst, of the 16th of May, 1820, upon the insurrection which had taken place in the interior of the Colony, “I represented that it had originated from the harshness with which some of the Slaves had been treated, and that I was not without hope the consequences on that occasion would have had the beneficial tendency of exciting a greater degree of humanity towards these unfortunate people. I am much distressed, my Lord, that my expectations have not been answered; and such is the increasing severity and cruelty which are now practised with impunity, that although I am very conscious of the difficulty which has hitherto

presented itself to his Majesty's Government upon the general question of the administration of justice in Honduras, I am most reluctantly constrained to bring the subject again under your Lordship's consideration. The result of a trial," (he alludes to the trial of *Duncanette Campbell*), "which was instituted on the 6th instant against an individual for excessive cruelty towards a poor Slave, absolutely excludes every hope, under the present system of jurisprudence, of bringing offenders to punishment, when guilty of the most flagrant acts of inhumanity and oppression."

In his letter to Earl Bathurst, of date 28th September, 1821, he says, after some prejudicial animadversions on the conduct of Mr. Bowen, "The Slaves in this country have, for some time past, appeared to require no incentive to agitate their already irritated minds, and therefore to quiet in some degree the alarm, which will no doubt quickly spread amongst them of their being thus deprived of all protection, I have, after assembling the Members of the Supreme Court as a Council, this day issued a proclamation in his Majesty's name, declaring the Consolidated Slave Law of Jamaica to be in force until others are enacted, a copy of which, with my letter to the Magistrates, I beg to submit, and of which I trust your Lordship will approve."

In his letter to the Magistrates, of date 28th September, 1821, he says, "I am deeply grieved that the influence of a few ill-disposed persons should compel me thus publicly, by proclamation, to cast the disgraceful imputation upon this community, that it has hitherto left the Slave Population wholly unprotected by law, and that every punishment which has been inflicted upon the Slaves by the Bench, either by trial or otherwise, has been altogether illegal; for, if by custom and usage the Slave Law of Jamaica has not been considered in force here, as far as it would apply to the local circumstances of the country, then there has been no law, and, if it has been so recognized, the Bench, in declining the admission of the 26th and 29th articles of that Law, on the recent trial of Mr. Bowen, has violated the sacred obligation, by which every Magistrate is bound on his admission into Office."

Again he says, in his letter to Earl Bathurst, of date 10th January, 1822, speaking of the trial of *Rhode-Island* and *Phillis* for their freedom, "The result of this trial, and the evident spirit of opposition to the poor Slaves, determined me never again to seek redress for them in the Court, as it is at present constituted; and, on receiving therefore the opinion of his Majesty's Attorney-General respecting the poor Indians, it became necessary to resort to other means; and I trust the plan to which I have had recourse will meet your Lordship's approbation."

In his letter to his lordship, dated 22d February, 1822, he likewise

¹ For the whole of this Letter see Appendix A.

² For the whole of this Letter see Appendix B.

³ For the whole of this Letter see Appendix C.

⁴ For the whole of this Letter see Appendix D.

speaks in the same opprobrious terms of the Administration of Justice in the Settlement: Referring to the conduct of Mr. Bowen and Clarissa Paslow towards an Indian female Slave, who had complained to him, he declares, "It is impossible to pass over, and no less impossible to punish in this country, and I therefore beg to submit the case to your Lordship's consideration and judgment;" and again, "I would earnestly beg leave to draw your Lordship's particular attention to the documents, as an additional evidence of the total and absolute impossibility of protecting the Slave Population under the present system of jurisprudence in the Colony."¹

Before we proceed further, we cannot avoid observing on one strange occurrence, but no less true, that every Governor or Superintendent (Colonel Arthur alone excepted), that has resided in this country, during his Government, has been satisfied that, in this Settlement, Slavery existed but by name. We would refer likewise to the testimony he himself has given in his dispatch shortly after his arrival amongst us, in which he states, "that it afforded him the greatest pleasure to bear testimony to the humanity, which he generally observed exercised by the Wood-cutters towards their Slaves:" but Colonel Arthur was too well read in the feelings of the present day; he had not then been many months in the Settlement; he then saw with unprejudiced and uninterested eyes; but, as a shrewd observer of mankind, he soon found the weak side of those who could rise or who could sink; that the words so emphatically and repeatedly used, "poor slave, cruelty, scourges, unheard-of horrors," &c. acted with talismanic effect on the feelings of our deceived and too credulous countrymen; that the assumption of sanctity, godliness, and righteousness, was agreeable to a powerful party at home, whose interest and influence were necessary to his elevation, and he must have considered that it would be better so to trim his bark as to float with the tide of the popular and prevailing feeling, than to act with fairness, candor, and integrity, to a few individuals, dragging out an existence in a remote region of America. In this struggle between self-interest and principle, as is too often the case, the former triumphed, and Colonel Arthur became an altered man! The idea of becoming a real friend to the country was thrown aside as unprofitable, and the suddenness of the change indicated that he was no friend to this Settlement, or to the sufferers in the Colonies.

Unfortunately for Honduras, the inhabitants were in the year 1814 placed under the control of this Officer, then recently raised to a majority: many months had not elapsed before he appeared to become dissatisfied with the country, with its people, its manners, its laws, and its customs. He became distant, severe, uncourtly, seldom seen, though too frequently and fatally heard of; whilst the distressed people under his Government groaned in secret over the accumulated and uncomfortable matter which seemed to arise around them. The inhabitants, although conscious of the rights and prerogatives of their

¹ For the whole of this Letter see Appendix E.

Monarch, and firmly persuaded that they never could be exercised but by the Royal Person, found that Major Arthur (apparently intoxicated by the sudden transition from his Regiment to the Representative of his Sovereign) assumed those prerogatives: Those rights were declared to be delegated, and an adulation and servility required which the Majesty of England would have scorned to receive.

Like every able General, Major Arthur began his reign by clearing the ground of all those obstacles which were likely to impede his plan of operations. In a specious speech at a public meeting, held the 3rd of July, 1815, he represented to the inhabitants the folly of their depending on Agents in Great-Britain, when their truest interest was to confide in their Superintendent, through whom all would be heard, all would be attended to, all granted!! As his conduct had been till this time apparently open, candid, and fair, the inhabitants relied on the sincerity of this declaration, and passed a vote in consequence, discontinuing their Agent in Britain.

What has been the event of this confidence? They have been traduced, calumniated, and held up as objects of hatred and abhorrence to their countrymen. Conscious too late of the error which they committed, they have now only to mourn over its unfortunate and fatal effects. Shocking, indeed, is the reflection to them, when they find an eminent Member of the British Parliament, Mr. Brougham, in the debate on Mr. Buxton's motion, 15th May, 1823, on the very arena of that House, from which all that is noble, great, and enlightened, springs; influenced as he most probably was, unconscious as he must have been, ignorant as he really was, of the state of the country; but deeply and fatally deceived by that very correspondence to which we have alluded, pronounce such words: "The Honorable Member for Sandwich, on the authority of a Governor, who seemed to be extravagantly delighted with the condition of Honduras Slavery, on a part of the Mosquito Shore, that deadly soil, with which, if the state of Slavery in Jamaica were contrasted, both as to the nature of its climate, and the kindness experienced by the Negroes from their masters, the latter might be termed a Paradise, if not an absolute Heaven, (the Member for Sandwich) contended that we ought to adopt the opinion that the state of Slavery, even in that dangerous and fatal part of the West-Indies, was not as intolerable as it had been represented to be by some persons, or perhaps the most detestable spot upon the face of the Globe, a swamp where the forests are still uncleared."

In the foregoing paragraph the Honorable Member displays as total a want of knowledge of the geography of the country, unconnected as it is with the Mosquito Shore, as he seems to possess of its state of Slavery; and he shews the gross error and deception under which he labored, and which must have been occasioned by these representations.

The inhabitants were still more conscious of the imprudence they had committed, as it almost immediately appeared to them, that Major Arthur himself, suspecting that there might be some future cause

of complaint, determined by this bold step at once to preclude every representation being attended to but that which passed through him.

Himself thus secure from having his conduct represented, the ancient laws and customs of the Settlement flew before his mandate; he established forms, and prescribed rules, and, the more forcibly to remind the inhabitants of their dependent state, they were more than once promulgated according to military custom, by beat of drum throughout the town.

During the whole of his Government Colonel Arthur seems to have imagined Honduras his kingdom, and he carried on its affairs by a petty course of state intrigue, to which he endeavoured to give importance by stately forms and inflated documents, and which, but for the calamities which it has entailed, would have been absurd. Never did the words of our immortal Shakespeare better apply than to this man :

“ Man, proud man,
Drest in a little brief authority,
Plays such fantastic tricks before high Heaven,
As make the angels weep ! ”

MEASURE FOR MEASURE.

Conscious that a party would be requisite to strengthen the hands of his Government, and aware that a power of patronage was the most likely means to ensure it, he took from the hands of the Magistracy the appointment of their Public Officers, and thus he hoped to secure to himself an accession of strength, which would enable him to carry on his designs with greater safety and facility. He divided the Settlement; a strong party was formed : some joined him from ambition, some from fear, and some from a sincere belief in his professions of the real interest which he took in the welfare of the Settlement, and a thorough persuasion that all his acts, whatever appearance they might then wear, were directed to that one great point. The consequences, however, were soon felt, and every man began to look upon his neighbour with suspicion and dread : a system of espionage seemed visibly to exist ; men's words and acts were known at the Government-House ; the most private recesses of family confidence were broken into ; familiars moved with consummate secrecy and caution, and persons found themselves reflected on and marked in public dispatches, unconscious of ever having acted wrong, or from whence the report could have arisen : But was all this done, it will be asked, without oppositions ? Did pusillanimity thus paralyse the minds of all ? Were there no men in the community of independence and spirit sufficient to stem the torrent ? There were ; but resistance was vain. Colonel Arthur had, in a speech made at a public meeting held January 6th, 1815, speaking of persons who had offered some opposition to existing measures, declared, “ *I will not long allow the public to be infected by the pernicious principles of those who aim at subverting its tranquillity.* ” This was followed by a more explicit declaration, that his Majesty's Secretary of State had placed at

his disposal the property and happiness of this devoted country, or, in other words, that at his mandate, or at his will, an inhabitant could be transported from it! The idea of driving a man from his connexions, his friends, his means of subsistence, was nothing in his estimation; it was sufficient that it was his pleasure, and he did not scruple to declare, that it was his firm determination of putting it in execution, whenever he deemed it requisite. To this despotic disposal of the persons and liberties of his Majesty's subjects no resistance could be offered. However sensible the inhabitants might be that this stretch of prerogative was most unwarrantable and unjust, yet none desired to put to the proof a measure, which perhaps would be attended with utter ruin to himself, and plunge his family into poverty; separated from his means of livelihood, it would be vain for him to carry on a law-suit against his unjust persecutor, who would have the advantage of being kept abroad in his Government, while the poor, injured inhabitant, who had gone to his native land to seek redress, would be perishing in jail from want. This is a true picture of men's thoughts; and such was the inquisitorial authority which he held over the inhabitants, that scarcely one, even of the most oppressed, from a kind of secret prudence, would venture to complain: thus did he continue for the space of some years to build his power and authority on the fears, instead of the affections, of the people, until he began to suspect, from secret murmurs and concealed opposition, that complaints, in spite of all his efforts to the contrary, would reach Great Britain, or some exposure be made of his conduct. Aware that he must now seize some popular subject; in order to strengthen his pretensions at home, and knowing that Slavery was one naturally repugnant to the feelings of the People of England, he assumed the character of the philanthropist, became to the eyes of his Majesty's Ministers the kind mediator between the master and the Slave, and would persuade them that he is not vested with sufficient authority to restrain the lawless race, which he has been sent to govern: He then blazons to the world acts of severity, which he has exaggerated into cruelty; he puts on paper dreadful rebellions, which never existed but in his dispatch to the Secretary of State; he finds crimes committed that were before unknown in the country; and, to consummate all, his great sagacity at length discovers that there was not any law by which our ancestors held their property, and consequently it must instantly be abandoned. Let his dispatch to the Earl Bathurst, of May 16th, 1820, be read: We will here give it at length: He says, "It is with much concern I do myself the honor to report to your Lordship, that on the 24th ult. I received a communication from the Magistrates, apprising me that information had just reached them from the interior of the country, that a considerable number of Slaves had formed themselves into a body in the river Belize, and being well armed, and having already committed various depredations, the most serious consequences were to be apprehended. This information was soon after further confirmed by a very strong Memorial, which was addressed to me by the principal Wood-cutters, setting forth the perilous situation in which they were

placed in their works, and earnestly praying for immediate protection. Orders were in consequence issued for a party of the 2d West-India Regiment,¹ under the command of Lieutenant M'Pherson, to proceed the following morning up the River Belize as far as Bermudian landing, and another party, under the command of Major Noel,² to proceed up the River Sibun, and take up a position so as to co-operate with the troops in the Belize, or to check the progress of the Slaves, should they move from the Belize towards the provision-grounds in the Sibun.

"Having completed these arrangements, and given the necessary instructions to Major Bradley, in case the spirit of disaffection should extend itself to the town, I left Belize on the morning of the 26th, accompanied by the Senior Magistrate, in the hope of being enabled by the milder means of persuasion to bring these poor deluded people to a due sense of the impropriety of their conduct, without having recourse to military force.

"In my progress up the River, I was much concerned to ascertain that the Negroes, who had first deserted, and excited others to join them, had been treated with very unnecessary harshness by their Owners, and had certainly good grounds for complaint, if happily they had pursued that course, rather than having resorted to the unlawful means they were pursuing; but as their animosity had not led them to any greater excess than the destruction of some cattle, and the robbery of one or two houses, a proclamation was issued, offering a free pardon to all such as would immediately come in and lay down their arms; but at the same time Martial Law was proclaimed, and a liberal reward for the apprehension of all such as should still continue in a state of rebellion.

"I then proceeded from Work to Work to the distance of 220 miles up the River Belize, directing the different gangs of Slaves to be assembled, and by thus timely inquiring into their several grievances, causing the proclamation to be read, and pointing out to them the fatal consequences, which they would inevitably bring upon themselves, if they were seduced by the bad example of those who had so misconducted themselves. The evil seemed happily stayed, and many of those, who had perhaps been hastily led at the moment to unite with the disaffected, were induced to return peaceably to their work.

"I cannot ascertain that the number now remaining of the principal body in the river Belize exceeds 20; and I have every reason to conclude that even these are separated, and of course no longer formidable.

"On the 10th inst. I left Lieutenant M'Pherson in the woods at the head of the Belize in pursuit of this gang, and am in the daily expectation of his report of their capture.

"Some of the Runaways having given information of two Slave Towns, which it appears have been formed in the Blue Mountains to

¹ This was only one sergeant and 25 rank and file.

² This was one subaltern, one sergeant, 18 rank and file, a few pensioners, four Indians, and a guide, also Major Noel.

the northward of Sibun, it was judged expedient, that Major Noel should march in that direction, and, as soon as his report is received, I hope it may be no longer necessary to continue Martial Law in force.

"I feel it, my Lord, an unspeakable mercy that the country has been thus delivered by the hand of Providence from a commotion, which at first appeared to threaten very alarming consequences, and I trust the gratitude of the Settlers will be fully awakened on the occasion, and evidenced by increased acts of uniform kindness and humanity towards the poor Slave Population."

"I have, &c.

(Signed)

"GEO. ARTHUR."

Let this Report be read with attention, and it will be seen to be drawn up in such language as to suit all who he intended should see it: To the Philanthropist of England he addressed himself, when he said *"the poor Slaves had great cause for complaint;"* to the Religious when he prayed to the Almighty God to permit the wicked Owners to see their errors, *"and to think of the unspeakable mercies of Providence in being delivered from Rebellion;"* to the Secretary of State he has represented himself as the prudent, cautious Statesman; and to the Commander in Chief he has insinuated that the promptitude and energy of his measures saved the country!!

It is true that it had been represented to him by the Magistrates of the Settlement, that there was very considerable alarm excited in the Belize River, and which, from the information they had obtained, appeared to be of a serious nature; that in consequence he, Colonel Arthur, ascended the River, and visited the several establishments on his way up; but there he found every thing perfectly quiet!

On his arrival, however, at the Works of Mrs. Grace Anderson, he found that eleven of her Negroes had been in a rebellious state, committing on that Settlement various acts of depredations; that eight out of the eleven (three having left them) had formed themselves into a gang, and proceeded up that River to the establishment of Mr. Edward Meighan, where they were joined by two of his Negroes; that they had there renewed their wanton acts of spoliation, and, after remaining some days conducting themselves in a violent and disorderly manner, they had continued their route upwards, with an intent to make the Spanish Settlements in the interior, and which they accomplished.

Colonel Arthur, however, proceeded, and, having attained nearly the head of the River, he acquainted the Gentlemen in the different establishments of the cause of his visiting the interior with troops: they in general expressed their surprise at the reports that could occasion it, and acquainted him that they had heard of the eleven Runaways, but had not any conception, that accounts had reached Belize in the formidable shape of a Rebellion being in the country, as, with the exception of Grace Anderson's eleven, and Mr. Meighan's two, the Negroes were all cheerfully at their duty.

¹ This host was 38 Privates, three Officers, two Sergeants, a few Pensioners, and Col. Arthur, four Indians, and a Guide.

Notwithstanding these declarations of the general quiet state of the country, and that no Rebellion did exist, he thought proper to proclaim Martial Law, and publish a Proclamation, offering one hundred pounds for the apprehension of a man named Will, who had been the Captain of Grace Anderson's people, also Sharper, belonging to Mr. Meighan, and who were also ringleaders of this party. He, nevertheless, appeared surprised at the peaceable appearance of the interior, and, in order to be fully satisfied on the point, in his return down the River he again visited the several establishments, caused the Negroes on each to be assembled, and inquired of them if they had any complaints?

He found none!! Yet with all this knowledge, and of which he became possessed immediately from his own observations, he writes the Dispatches of the 16th May and 7th October, 1820.

But, as he states in these Dispatches, "That the Negroes who had first deserted, and excited others to join them, had been treated with very unnecessary harshness by their owners, and had certainly good grounds for complaint," and again, "In my Report to your Lordship of the 16th May last, No. 27, upon the insurrection which had taken place in the interior of the Colony, I represented that it had originated from the harshness with which some of the Slaves had been treated," we, therefore, feel it necessary to state the real cause of the desertion of these people.

It appears, that the Negro Will, the property of Grace Anderson, and who had been the Captain and managing man on her estate, had been displaced by her from his situation as such: this he was determined to resent, and availing himself of a quarrel, that had taken place between some of the Negroes and that person's son (a youth of about 18 years, who had most imprudently lowered himself in their estimation by associating with them in acts of intemperance), he, Will, exercised the influence he had, and instigated some of his countrymen to abscond with him, and who were, as we have before stated, joined by two of Mr. Meighan's, one of whom has been considered of a bad disposition.

After this simple detail, for we shrink not from stating the honest truth, it is left to a candid public to decide how far Colonel Arthur is borne out in the representations he has made to Lord Bathurst in these Dispatches; and wherein he would lead his Majesty's Ministers to suppose that a dreadful Rebellion and insurrection had existed in the country, brought on by the harsh and unnecessary severity of the Owners.

It is also necessary to remark, that it has appeared that no such thing was in existence as runaway Negro towns in the Blue Mountains in Shiboon, of which Colonel Arthur has made so much.

God forbid we should assume to ourselves the idea that we, too, are immaculate: the just and reasonable man will consider that in all countries there may be bad characters; but are the whole people of Honduras to be condemned, because there might have been two or three persons amongst them said to be of relentless hearts, or arc

they to be traduced as they have been in his Dispatches, and in the House of Commons as mere brutes, on account of individual impropriety? As well might our Mother-Country be reflected on, because her hundreds and thousands are brought to the gallows, or sent into servitude, from the multitude of crimes committed in her bosom!

But to return to Colonel Arthur's calumniating charges of cruelty and barbarity amongst us, and to Mr. Brougham's bitter invective, we can only observe, that it is almost impossible for us to bring documentary evidence to prove that persons have been punished for cruelty amongst us, since crimes of that description are so seldom heard of in our Settlement, that scarcely any traces of such practices can be found on the records. We must then only humbly pray the testimony of all our former Governors; and, after having shown one or two instances of most extraordinary fidelity in our Slaves, we must leave it to the judgment of an impartial world; and we therefore, in the first place, declare that Colonel Arthur is not ignorant that we hold our Slaves here merely from the affection they bear their Owners, and that, if they were not governed with mildness, kindness, and liberality, from the encouragement held out by the Spaniards to desert, and the facility with which they could do so, together with the improbability of their ever being again recovered, the country would be in a moment deserted, and the Settlers ruined.

One of the strongest proofs of what we have here asserted, and of the contentment and good condition of the Slaves of this country, is evidenced by their conduct in the last descent made by the Spaniards on the Settlement in 1798: we were then almost, destitute of protection from Government; the free population was at that period inconsiderable, and the whole strength of the Settlement combined with the few troops stationed here, was quite inadequate to resist the Spaniards' attack.

What aid could we procure on this sudden emergency? Whither were we to fly? Or to what measures were we to have recourse in these awful circumstances? In that quarter (and let our traducer, as we record it, be henceforth dumb for ever); in that quarter, over which the Demon of Oppression is alone said to hover, and the voice of suffering only to be heard, the star of our deliverance arose. Our Slaves armed themselves with an alacrity, which to every impartial mind must carry a conviction, which all the sophistry of our antagonist is unable to refute, and, marshalling themselves under their respective Owners, cheerfully and manfully fought for and defended their Masters' lives and their Masters' property: with patience they bore the fatigues of military duty, and with a gallantry unparalleled they beat off an enemy double their number. After this does it require asking, whether these beings, stated to be so injured and oppressed, for whom no justice can be procured, and who have no Laws to protect them—would not they, if such were the case, have accepted the promised freedom offered by the Spanish Commander? Could they not, with the arms which the confidence of their Master had placed in their hands, have retired, and with ease have joined the

enemy? They could have done this, and laughed to scorn every attempt to prevent them, for, as we have already said, the Settlement had not force sufficient to arrest their progress. But no; there appeared a sacred tie between the Slave and the Master, which bound the due to the other, and which falsifies the assertions of our accuser, by clearly evincing the marked preference of these faithful Slaves to their state of bondage than to the freedom offered by the Spaniards. To see the Slave stand up and fight for the interest and life of his Master, to see him possess such property as his industry may accumulate, and which the Master protects and defends, to see that Master appeal to the Courts of Honduras, when necessary, for the recovery of any debt or property of his Negro, should the act of a free person have injured, wronged, or denied him his just due, are not unfrequent occurrences in Honduras. We would simply ask, how does this coincide with the Dispatch of the 16th day of May, and the 7th of October, 1820, where the inhabitants are held up in such an odious light to the British Nation? If this single glorious act, which we have related, is not sufficient, innumerable instances could be brought forward of the fidelity and value of the Slaves in this part of his Majesty's Colonies; but we will simply state one other, and that of a very recent date, as perchance it might be said by Colonel Arthur, or his friends, that the Spanish War took place a long time since; and that the Negroes were better treated at that period than at present: it is a case wherein Colonel Arthur, in the most tyrannical and unjustifiable manner, interfered in the private concerns of an individual, in consequence of some circumstances that had occurred relative to a Jury on which he had sitten; he (Colonel Arthur), after having received from this person the most humble submission, which was in a manner extorted from him, according to his spirit of Christian meekness, oppressed him, injured him, opposed him in his career of industry, blasted his prospects for that year, and put him to an enormous expense, by taking advantage of his having cut wood out of the confined territories of the English, as by treaty established with Spain, and then on that plea refused to allow him to proceed in his business, although others were in the same situation, and not prevented. What then was the conduct of this person's Negroes? They did not sit down idle; they did not anticipate a rest for their *poor, weary* limbs; they did not rejoice, and consider it as a dispensation from Heaven to give relief to the *poor Slave*: No! these *poor, miserable, wretched creatures* (such are the hacknied terms of the Philanthropist of the present day,) came to their Master, and requested him not to be disheartened, for that Colonel Arthur could not ruin him, since they would shew him what their good will and exertions could effect. Although their former labor was near four months advanced, and consequently the remainder of the season was but short, they immediately proceeded up the River, and, commencing work in another place, by the greatest

¹ See page 7 in this Defence, and Appendix, Letter A.

energy and most laborious exertions they brought their Master as much wood to market as he would otherwise have had, had not Colonel Arthur interfered.

Numerous instances can likewise be brought of the existing confidence of the Master in his Slave. He retires with his Negroes, who are all armed, up the River, to spots far removed from the town; he sleeps in the midst of them in an open hut; he is surrounded by them in the most lonely recesses of the woods, and yet no harm ensues; he is satisfied that his confidence in the Slave will not be abused, and the Slave does not seem to feel the commanding situation in which he is placed, nor does he, although so remotely situate, forget his wonted respect and obedience to his Owner or Employer. Yet these things are being changed; there are vile spirits at work here, secretly insinuating their empoisoned venom, and, as our present worthy Superintendent, Major-General Codd, declares in his Dispatch to Lord Bathurst, of date the 8th of March, 1823, "clouds seem to be gathering around this once bright state of things, and feelings appear to be awakened injurious to the happiness of the Negro."

We would merely make one more remark upon the manifest injustice done us in the Dispatches of Colonel Arthur, to which we have already alluded, and inserted here. It is upon the dreadful state in which he would induce the King's Ministers to believe the Settlement to have been, without a single Law to protect the Slave, and the consequent inducement which he felt, with the advice of two persons, to ordain the Consolidated Slave Law of Jamaica to be in force here. We here pointedly declare that the Slave Law of Jamaica, as far as regards the protection of the Slave, and as far as would suit the local circumstances of the Settlement, has been in force here for many years. It has been acted upon as the ground-work of prosecutions for crimes, when such called for the interference of the Judicial Authorities; and in all cases, where Slaves were considered to be injured, it was usually before the Bench as their guide; yet he declares in his Dispatch to Lord Bathurst, dated 7th October, 1820, "that the Act is not in the Country." So far from this, we positively assert that the Act passed in Jamaica the 15th March, 1801, has been in the Office of Records nearly 20 years, and that a specific extract was also made from the Slave Law of Jamaica so long since as 1791; but nothing can exhibit in a stronger light the real design of Colonel Arthur than his addressing Lord Bathurst upon this subject, when he well knew that the Consolidated Slave Law of Jamaica, though perfectly applicable there, would not equally in all its parts apply to this Settlement. We must again here allude to his Letter to Lord Bathurst, of 22d February, 1822, wherein he emphatically states, "*I would earnestly beg to draw your Lordship's particular attention to an additional evidence of the total and absolute impossibility of protecting the Slave Population under the present system of jurisprudence in the Colony.*" He then goes on to say, speaking of the conduct of two persons, "*that it is impossible to pass over,*

and no life impossible to punish in this Country."¹ How, we would ask the world, could this Settlement have existed for such a length of time under such a frightful state of things? What are we to suppose of our Governors, during this absence of all judicial restraint? Or will Colonel Arthur make them equally cruel, unjust, and guilty, as he has represented us? The matter carries its own refutation on the very face of it. Strange indeed it is, that we had no dreadful complaints of this sort, either before the arrival or since the departure of Colonel Arthur, and we confidently trust we shall never have again. We do not mean to discuss the question respecting Mr. Bowen, who has been acquitted by a British Jury, after a trial instituted by Colonel Arthur more to persecute the Master than to protect the Slave; but, admitting Colonel Arthur's misrepresentations, are a whole Community to be stigmatized and held up to the public view as monsters, because an act of felony has been punished by 39 stripes inflicted by a female, and which in the Mother-Country would have been punished with death? yet Colonel Arthur has done so—while he well knew, if he will declare the honest truth, that the Magistrates have at all times taken the most prompt measures, whenever such questions were brought to view, and have instituted proceedings against the offenders. We do then boldly declare, that there is every Law to protect the Slave Population in this Country; and we as boldly assert that Colonel Arthur's proceedings throughout have not been actuated by good and worthy motives, but by the sure prospect of aggrandising himself through the interest of a powerful party at home, by thus working upon their blinded and mistaken feelings. We likewise as confidently assert that Colonel Arthur himself, or those he employed, were the occasion of more discontent and unhappiness to the Slaves than had been amongst them before. As a proof of this, we will refer to a letter from Mrs. Carmichael, under date the 22d October, 1821, then to her evidence, as also to the evidence of Mr. Francis Meighan:

Bekse, 22d October, 1821.

SIR,

I find myself compelled to apply to you to save me and my family from impending ruin. My Mother, Mrs. Mary Hickey, left me at her death a share of her property equal to that she left her other children, and appointed Dr. M. W. Bowen her Executor, directing at the same time that the property may be kept up until the youngest child be of age, as will appear more fully, reference being had to the Will. Now, either by misfortune, mismanagement, or oppression, it so happens that the Negroes belonging to the estate are in a state bordering on sedition and exasperation. They daily apply to me, even those that I knew the greatest favorites of my Mother, and complain of harsh treatment and cruel punishment being inflicted upon them by the Doctor, and plainly tell me that they cannot endure that state of misery much longer. If their complaint is founded or not I have no means of ascertaining, not wishing to pry into the Doctor's

¹ See Appendix, Letter E, for this letter.

interior management of his affairs; but it is certain that I have myself seen this morning the shoulders and body of two of them cruelly lacerated, when they told me they had been severely flogged, one on Thursday and the other on Friday last; and the same severe punishment repeated this morning on both. Florizelle, another negro belonging to the estate, is actually now in jail in irons, though reduced almost to a skeleton by sickness. The punishment of Venture (one of those whom I saw) was particularly severe, having been inflicted by a disbanded soldier of the 7th West-India Regiment, who was considered in his regiment as a very heavy whip, and who did not conceal that he owed a grudge to that poor negro.

I do therefore apply to you that you may be pleased to appoint, or cause to be appointed, a Manager to the estate, by which, without violating the right of an Executor, the property may be saved from ruin, and the minds of those Negroes set at ease, or to give whatever relief you, in your wisdom, may think fit.

I am, Sir,

Your obedient servant,

(Signed)

E. M. CARMICHAEL.

Colonel ARTHUR, his Majesty's Superintendent,
Commandant, &c. &c. &c.

AT A MEETING OF MAGISTRATES, HELD THIS DAY,
NOVEMBER 19TH, 1823.

Mrs. CARMICHAEL called and sworn.

Question. Noticing a letter with your signature, dated the 22d October, 1821, addressed to Colonel Arthur, his Majesty's Superintendent, and in the Correspondence, as laid before the House of Commons, who influenced you to write that Letter?

Answer. No person; it was my own deed: I went to Colonel Arthur to complain, and he said I must write him, as he could not take any measures unless I wrote him.

Q. Who dictated the Letter for you, dated 22d October, 1821, addressed to Colonel Arthur?

A. Major Coatquevin: "I gave him the substance."

Q. Did you give Major Coatquevin the substance of that part of the Letter, where Teagus was a very heavy whip in the 7th West-India Regiment?

A. No.

Q. Did you ever speak to Teagus on that occasion?

A. To the best of my knowledge and belief I did not.

Q. Did you not know that there was a great misunderstanding between your Mother's Executor and the Superintendent at the time you wrote that Letter?

A. Yes.

Q. Did you not hear that Colonel Arthur wished to implicate your Mother's Executor at the time?

A. I do not wish to answer that question.

AT A MEETING OF MAGISTRATES, NOVEMBER 24TH, 1823.

FRANCIS MEIGHAN sworn.

Question. Had not you some conversation with Colonel Arthur about

¹ This Major Coatquevin was the chief counsellor and adviser of Colonel Arthur, and was the person appointed by him to carry on all prosecutions, possessed his unlimited confidence, and appeared aware of all his intentions.

the time that your sister was making a complaint against M. W. Bowen, your Mother's Executor?

Answer. Yes.

Q. State the nature of the conversation.

A. Colonel Arthur sent for me upon some private business, and after some time introduced a conversation about my Mother's estate, and stated that he had had an unpleasant matter with Mr. Bowen, the Executor of my Mother's estate, that he, Mr. Bowen, would certainly ruin the estate, and he was sorry to see that I did not act more in conjunction with my Sister Mrs. Carmichael than I did. He seemed to wish me to write him to use his endeavours if possible to set aside the Will, and he stated he had a great idea of taking it from him the Executor altogether, and, as at that time Mrs. Carmichael seemed to me to be acting upon the principle of inducing the Slaves to revolt against the Executor, I considered that Colonel Arthur meant to wish me to join her in the same. It also seemed to me that the Slaves themselves had been with Colonel Arthur.

I told Colonel Arthur, in reply to his observations, that I never would join with any one to injure the Executor, as he had acted most kindly to me, and I considered his conduct towards the Slaves good. I must also further declare that had it not been for me, they would all have revolted: I myself coaxed them, and endeavoured to allay the ferment. The Slaves were quiet enough, but it is evident they were tampered with, and I am certain from my knowledge of them they never would have so acted, had they not been secretly interfered with; and it fully appeared to me that Colonel Arthur was actuated by feelings of revenge towards Bowen more than for the good of the estate. I do not speak this upon mere supposition, because he endeavoured to persuade me that he, Bowen, was not my friend, and the general tenor of his conversation seemed grounded upon that principle; and such was Mr. Bowen's anxiety respecting the estate and his fear of acting at all, lest it might be considered he was acting harshly, he sent for me, told me the delicate situation in which he was placed, and, as I knew the Negroes well, and was the eldest Son of my Mother, he requested me to interfere and point out to them their error. I did so, and brought a number round to their duty. It never was the natural disposition of the Negroes, for they had been fully paid, and every allowance requisite given them.

By these documents it will be fully shewn, that considerable private enmity existed against Dr. Bowen, and that these very Negroes had been tampered with: the inference will on this be naturally drawn by every candid mind, that Colonel Arthur was more actuated by a determination to gain personal revenge over Mr. Bowen, than to benefit his Slaves.

Amidst the mass of calumniating matter which Colonel Arthur has brought against us, we cannot avoid speaking of the trial of a woman named Duncanette Campbell, on which Colonel Arthur has laid so much stress, and which he evidently wishes to be the criterion upon which the opinion respecting the Settlement might be formed. Upon this trial, the whole rested upon the declaration of the Slave herself, worked up to the highest pitch of jealousy and revenge against her mistress; but Colonel Arthur has with much policy extracted from the record of the trial merely such parts as wear a harsh and severe appearance, rejecting the evidence on the part of the prisoner, which there can be no doubt from its substance influenced the Jury in their

decision. As this is one of the most important features in Colonel Arthur's letters against us, we deem it but proper to annex the Address of the King's Advocate to the Court on this trial. He was Colonel Arthur's own particular bosom-friend and counsellor, and this document will fully shew the light in which we have always been considered. He addressed the Court and Jury as follows:

GENTLEMEN OF THE BENCH,

GENTLEMEN OF THE JURY,

It falls this day upon me to lay before you a case of great cruelty, committed by the prisoner at the bar against her Slave. Fortunately for the credit of this Settlement, such crimes are very scarce in this country. It is its good fortune and pride that it has obtained the well-deserved praise of being of all spots, where Slavery is admitted as lawful, the one where Slaves are treated by their Masters with the most kindness and indulgence.

This well-earned reputation it is our duty to preserve unspotted, and too much praise cannot be bestowed upon our Governors and Magistrates for their determination to prosecute, with all the severity of the law, such persons who dare to tarnish our good name by their cruel treatment of those defenceless beings which are left to their mercy, and who are so much deprived of any feelings of humanity as to compare their Slave to the ox in their pasture, or the mule in their stables, thinking they have the same identical right to use the one in the same manner as the other; but this prosecution will prove to them, I hope, that there never has been a more mistaken idea.

The Law has entrusted, it is true, very great powers to the Owners of Slaves. It presumed with great reason that powers necessary for the preservation of discipline and subordination could not be placed in safer hands than the Master and Proprietor, who has an immediate interest in the welfare, health, and happiness of his Slaves; but those powers, as they are granted by Law, are also strictly confined by the Law within certain bounds, which it is a great crime to infringe. The Law has granted to the Master the power of judging and determining the punishment of small offences and misdemeanours, and has fixed the quantum and mode of punishment, which cannot be exceeded. Such powers it was necessary to grant for the protection of the Master. In crimes of a greater magnitude the Law has granted neither the cognizance nor the punishment to the Master, but has instituted Slave-Courts, where it is the undoubted duty of the Owner to bring his Slave to be there dealt with according to Law. It is therefore useless for a Proprietor to plead in extenuation of his severity of punishment, that the crime committed by his Slave was of such magnitude that, though that punishment appears severe, it is comparative lenity, considering the crime—that plea must be rejected, because, as I have said before, he ought to have applied to the Magistracy to grant him a Slave-Court, and his taking upon himself the punishment of such an offence was an assumption of power not granted to him, and an insult to the Magistracy and the Courts, by doubting their justice and defying their authority.

Some ill-informed persons have conceived the idea that such trials as this may tend to loosen the subordination of Slaves: Never was a more erroneous idea. It must have the contrary effect. Injustice and oppression are the parents of mutiny: Kindness, protection, and justice, tempered with mercy, are sure to produce affection and devotion! This country affords very striking examples of this truth! Where have Slaves shown such an attachment to their Master, as they have shown in the Spanish war, and on many other occasions? We have here no Drivers at their back, or the cracking of

whips sounding at their ears! In what part of the world, however, do Negroes perform such hard labor with such apparent ease and alacrity? To what cause are we to attribute those effects, if it is not to the feeling of the Slave, that his state of servitude is as light as it can possibly be, and that he considers his Master more in the light of a Parent than that of a Master.

I will now, after these preliminary remarks, which I thought it my duty to offer, bring before you the evidences substantiating the charges, upon which the prosecution is grounded. They are so clear that I do not consider it necessary at the present moment to take up part of your time in expatiating upon them.

Lastly, we annex an extract of a Letter from Colonel Arthur to Lord Bathurst, under date the 7th November, 1816, as follows:

"With regard to the state of the Black Population, I have the most heartfelt satisfaction in assuring your Lordship, that it is scarcely possible it can be ameliorated: So great is the kindness, the liberality, the indulgent care of the Wood-cutters towards their Negroes, that Slavery could scarcely be known to exist in this country, was it not for a few unprincipled adventurers in the town of Belize, who exercise authority over their one or two Slaves in a manner very different from the great body of the community.

"The steps which I have taken with one of those characters (as reported in my dispatch to your Lordship of the 21st ult.) will, I have no doubt, be attended with the best effect, and I turn with pleasure from the unpleasant exception to the general features of the picture, which are so truly excellent.

"Amidst all our difficulties, in other respects, it is quite impossible, my Lord, that any thing can surpass the treatment of the Slaves, men, women, and children, in this country.

"The men and lad's work on account of their Owners five days in the week; for the Saturday's labor, they are entitled by usage, which has become a law, to half a dollar, and the Sunday is entirely their own.

"The women are only employed in domestic purposes, and, if they have young children, no work whatever is required from them by their Masters. *In fact, my Lord, I must confess, I have in no part of the world seen the laboring class of people possessing any thing like the comforts of the Slave Population of Honduras.*"

This Letter was written after about two years' residence in the country, and after he had had an opportunity of seeing and knowing every man amongst us. It must be regarded as the full and honest conviction of a heart at that period unbiassed and unprejudiced, and as such it is to us a document of the most precious and important kind. Strange, that we should have thus suddenly degenerated, from all that is beneficent and good, to all that is cruel and bad! Strange, that where the Slave enjoyed blessings, which the laboring

¹ This Letter was transmitted to his Majesty's Ministers about the same time that the Duke of Manchester and the other Governors of the West India Islands were making their reports regarding the State of Slavery in the Colonies, and appeared, as we presume, by the sanction of Government, in the Times Newspaper of the 28th April, 1817.

class of other countries seldom experienced, in a few months the shackle of oppression should only be felt, or the lash of severity heard; but we trust sincerely that the good, the wise, and the enlightened will see through this tissue of glaring misrepresentation and subtility, however closely woven, and we will proceed to the next object which draws our attention, the Letter of Colonel Arthur to Earl Bathurst, of date 28th September, 1821, and in which he lays such stress on a communication from the Officer of Police, that the Magistrates were acting in an extra-judicial manner. In this Letter he states, "On the 11th inst. I received the enclosed Report, No. 1, from the Officer of Police, stating the illegal punishment he had been required by Mr. Bowen, a Magistrate, to inflict on one of his Slaves, and also detailing a most severe punishment which he had in part carried into effect, at the instance of the Bench; but with the further execution of which he hesitated to proceed, as it appeared to him contrary to Law."¹—Certainly, the Officer of Police appears on this occasion a person of remarkable delicacy, as well as possessing a *perfect knowledge of the law*. It answered the views, however, of Colonel Arthur, who immediately seized the opportunity of asserting that the Magistrates were acting in direct violation of the law, as the Slave Law of Jamaica either had been or had not been in existence in this country, or so much of it as would apply to this Settlement. Colonel Arthur has, indeed, denied in his dispatch to Earl Bathurst, of date 7th October, 1820, that such Law was in existence here, although in other instances he has admitted that it was; but we have already declared the Slave Law made in the year 1801 has been many years on our records, and has been usually acted upon by the Magistrates in cases of criminal prosecution.

Having established the existence of this Law, we will now shew that the act of the Magistrates, in inflicting the punishment they did on these Negroes for desertion, was entirely in conformity thereto. By the Consolidated Slave Law, passed in 1816, two Magistrates possess the power of inflicting punishment on Slaves for deserting from their owner for a short time; but, if beyond six months, they must be tried by a Court and Jury, and their punishment hard labor or transportation. The Magistrates, therefore, in this case ordered the Negroes to be punished, and, whatever might have been their motives, it appears they were acting in strict conformity to this Law, and by which they were warranted in their proceeding. It seems, however, not a little singular that the Police-Officer should, on this one occasion, have exhibited such a peculiar *sagacity* in discriminating the boundaries of the Law, or that he should thus have interfered with the authority of the Magistrates; but in extenuation of his conduct we would remark that, from the despotic influence which Colonel Arthur exercised over those who, from the public situations they held, were dependent upon him, they were afraid to resist his measures, however unjustifiable they might be. That the whole of this circumstance

¹ For the whole of this Letter, and the Officer of Police's Letter, see Appendix A.

emanated from Colonel Arthur, for the purpose of casting a slur on the Magistracy, will be fully evidenced by the answers of this Officer to the questions put to him by the Magistrates, who were induced, from the singularity of the circumstance, to call him before them at a Meeting held by them on the 19th November, 1823. After being sworn, the following questions were put :

Q. As we notice a Letter, with your signature, of the 11th September, 1821, in the correspondence of Colonel Arthur, as laid before the House of Commons, who influenced you to write that letter ?

A. Colonel Arthur directed me to write it.

Q. Did Colonel Arthur dictate that letter for you ?

A. I believe he did.

Q. Would you have written such a Letter, so reflecting on the Magistrates; if you had not been directed so to do, and it being dictated for you ?

A. I certainly should not have written such a Letter, but I was ordered to do it.

To what low and unworthy means could Colonel Arthur descend to vilify and injure us; and, as a simple instance that he was not altogether the tender, humane philanthropist he wishes to be thought, we could bring to his recollection the circumstance of a free black man named Abraham Cooke, whom he took from the hands of the Civil Power, after he had been committed for trial for an offence of receiving stolen goods, which, had he been punished by the Courts of the Settlement, would have sentenced him to hard work; but Colonel Arthur tried him by a Military Court, and he was sentenced to receive seven hundred lashes. Colonel Arthur coolly stood by and saw the punishment inflicted to the extent of five hundred, although the sight was distressing in the extreme; the wretch had never known punishment of that description, and at the early part of his sufferings his back swelled prodigiously; but, by the time he had taken two hundred lashes, his back burst, and the flesh and blood flew in every direction; yet this humane character felt no emotion, not a muscle of his face was changed, and he ordered three hundred more to be given on his lacerated and mangled body. Had the punishment of this miserable wretch been exercised upon a Slave, the inflictor would have reason to expect nothing less than being sent home in irons; yet this is the man that unblushingly and calmly vilifies the inhabitants as devoid of all feeling of humanity.

We would bring to the recollection of this most unerring, cautious, and talented Lawyer and Statesman, that he, in the case of two men named Cuffee Cummings and Victoire Largie, who had been sentenced to death by a Court of this Settlement, regardless of those solemn ties which bind Englishmen implicitly by the spirit of their Laws to mitigate rather than to add to their severity, regardless of all decency or humane consideration for the feelings of the friends of these unfortunate wretches, wantonly overstepped the boundaries of the Law, trampled under foot the sentence of the Court, and loaded it over the lifeless trunks of these miserable creatures, by directing

their bodies to be thrown into a furnace and consumed. No particle of this proceeding was sanctioned by their sentence, which simply directed that they should be hanged.

We would bring to his recollection that the man Cuffee Van Esting, who had been tried for a most atrocious murder, and who had been snatched from the Civil Power some years before, and had returned to this country with the disbanded troops of the 5th West-India regiment: When this man was seen walking the streets, and threatening vengeance against all those who had been evidences against him, and two of the Magistrates in consequence, with praiseworthy promptitude, ordered him into confinement, Colonel Arthur's humane heart dictated to him that it was a cruel proceeding; he called the Magistrates before him, he reprimanded them, and asked them how they dared to apprehend a soldier (this man had been sent to Honduras to receive his discharge); he issued a peremptory warrant to take him from confinement, which was accordingly done, and it was considered a favor that the Magistrates eventually procured the banishment of this savage barbarian from the country.

But the strongest instance of oppression is yet to be detailed, and which, after perusal of the procedure, will scarcely be imagined could have occurred in a British Colony.

Archibald Colquhoun, Esq. one of the Magistrates of this Settlement, who (unfortunately for himself, and more so for the family that has been thrown upon the world), objected, in his Magisterial capacity, to the proceedings on a trial instituted by Colonel Arthur in 1819, and founded on a law of a most compulsory and injurious tendency to this country, and which he, Colonel Arthur, by one of his famed proclamations by beat of drum, had enacted without the advice and consent of the Legislative Body. Our worthy Magistrate felt it his duty, when called upon in the solemn capacity of a Judge to decide on the properties of his Majesty's subjects, to resist what he considered such prejudicial and injurious measures; and when he found such prosecution instituted by this Governor upon his own law, and intended to deprive a poor fisherman of his canoe (his only means of subsistence), he descanted upon the impropriety of such harsh and unnecessary regulations; and, in doing so, was most unjustifiably and unwarrantably insulted by the Secretary of Superintendent Arthur on the subject of his own private affairs, and wherein he had conceived himself deeply injured by Colonel Arthur, and him, the Secretary, Lieutenant Willis. Indignant at the presumption of this Secretary, he, in pointed terms, expressed his sense of the injury he had personally experienced, and the insolence of his conduct in so addressing him while on the Bench. For this, and this only, he was accused: His honest declaration that arbitrary measures had been adopted in regard to him, and that his property had been extorted from him, was assimilated to high treason, as being derogatory to the respect due to his kingly person. The Superintendent for this had this Gentleman torn from his house at midnight, and confined in the common gaol of the Settlement; he issued a proclamation

against him, in the name of his Majesty; he arrayed the Court with Military (his Officers) on the day of trial, as if to overawe, and he remained personally with them, advising and assisting the individual, whom he had titled King's Advocate upon the occasion. The result of this trial may well be imagined:—Where no offence was committed, no guilt could be established; he was of course acquitted! Here an honorable mind would have remained still; but no! Colonel Arthur, disappointed in fixing guilt on his prisoner, whom a British Jury had snatched from his grasp, now meditated revenge, as much against the jurisprudence of the Country for not finding this Gentleman's guilt, as against that individual; and, as revenge against the Country, he has ever since been reviling the Judicial Authorities of the Settlement in his dispatches to the Secretary of State. But to the more immediate object of our statement:—This unfortunate Gentleman (Mr. Colquhoun) being acquitted was nothing in Colonel Arthur's estimation, and he was determined at one bound to overleap every sacred principle of our laws, and to destroy at once that glorious privilege of Englishmen, the Trial by Jury. Had the Jury returned guilt, all would have been well; but, as it was the contrary, he assumed the power of Court and Jury; he was satisfied of his guilt, and he sentenced him accordingly, as he, from his personal authority, disqualified him as a Magistrate: But this was not sufficient; he deprived him of that right that nothing but the sentence of a Court, for the worst of crimes, could inflict—his birth-right! He prevented him from sitting as a Juror in the Courts of the Settlement, and left nothing undone to degrade him.

This (to a man of enlightened understanding, and who, by twenty years' residence in this country of honorable and upright conduct, had naturally earned to himself that credit, respectability, and honor, which all men prize equally with life,) was deeply felt by Mr. Colquhoun; he could not bear to be thus reduced from hard-earned rank in the higher circle of life, and debased with culprits; he was sensible at the same time that it was in vain to seek redress here, where almost all were subject to the will of his oppressor; he therefore quitted his family and home, and proceeded to England to seek that redress, which he supposed could not there be withheld from him; when, after spending both his time and property to no effect, he ultimately found his oppressor put beyond the reach of the Law by the appointment of Lieutenant-Governor of Van Dieman's Land. His hopes and expectations were at once blasted; he was to remain degraded and disgraced, without even liberty to complain; he returned to this country, to his home and family, but with a broken heart; he survived his degraded situation but a few short days after his return. Melancholy and gloom sat upon his emaciated brow; death appeared more acceptable to his frame, than dishonor to his mind. He has quitted this for another, and to him it must be a better, world; and it will be long remembered that his parting breath, after bidding adieu to his wife and child, died away in the sounds of "Colonel Arthur."

PART THE SECOND.

THE ADDRESSES TO COLONEL ARTHUR ON HIS SUPPOSED DEPARTURE FROM HONDURAS CONSIDERED, THEIR NATURE, ALSO THE VARIOUS COMPLIMENTARY VOTES OF THE INHABITANTS TO HIM AT THEIR PUBLIC ASSEMBLIES, AND SHEWING HIS MISSTATEMENT TO HIS MAJESTY'S MINISTERS ON THE SUBJECT.

THE next most important point on which the Inhabitants have to remark, in order to endeavour to undeceive their countrymen, by shewing their traducer in his true colors, and which they consider they cannot too fully explain or enlarge upon, is the Addresses presented to Colonel Arthur, the one dated in the month of November, 1821, and the other January the 7th, 1822, on his supposed departure from this Settlement about that period; as also the Votes of Thanks passed in compliment to him at the various Assemblies of the Inhabitants.

The world may justly say, who are to believe these people? Who are to comprehend their meaning? At one period they represent in glowing language the tyranny and oppression of this Officer, and at another they have in a manner overwhelmed him with applause!!

Paradox as it is, it is yet most true; but it is also most true that these very applauses were given by secret compulsion, through fear of Colonel Arthur's displeasure; for, as we before stated, from the inquisitorial authority exercised over us; from the power which he constantly declared he possessed over the properties, nay, almost over the lives, of the Settlers, and from the unrelenting disposition which was known to distinguish him, even the most injured of the Community, when his friends arose in these public Assemblies and proposed such Votes, shrank from the dictates of conscientious principle, in order to avoid the danger, which they knew an open and declared opposition to his measures would infallibly have entailed upon them.

The Meetings, when these Votes were proposed, seconded, and carried, were like the solemn silence of the tomb! none spoke, none expressed gratitude, no generous, kindly feeling pervaded the Assembly: The Speaker put the Vote, and in the silent acquiescence of the Meeting alone these applauses, these thanks, and these Votes of adulation were recorded!!

We must, however, to avoid tautology, refer our readers to the earlier part of this our statement of grievances, which will fully and explicitly shew the true feelings of the Inhabitants on this point.

We would next advert to a more pointed matter on this subject than the general Votes of the Inhabitants; we mean the Addresses to Colonel Arthur, said to be on his departure from this Settlement, and we consider we shall so fully convince his Majesty's Ministers and the world of the real character of this Officer, that little more need be said. We shall show that secret and undue influence was made use of to procure them, and that, upon the face of his letter to the Secretary of State accompanying them, there is the greatest misstatement and misrepresentation.¹

We shall first refer to what is called the Address of the White Inhabitants, which is dated the 22d of November, 1822. Shocked are we indeed to make this exposure: but when we find men, placed in high public situations, resorting to secret and undue means to injure unoffending persons, it becomes necessary to exhibit them to the world.

The dispatch, transmitting this Address to Lord Bathurst, and dated the 5th of March, 1822, must, when seen through, be considered a composition unworthy of the Representative of a Monarch: It must be as disgusting to his most fulsome flatterers as it is unparalleled in the annals of Governments! In this dispatch he makes use of that Address to blacken the reputation and character of the very men, who were paying him every compliment, and signing that which might be the means of raising him in the world: Who that has read that part where he virtually tells Lord Bathurst the Address is false, and that he has sent it to him to condemn the people of this Colony, and to hold them up to contempt and ridicule, will attempt to defend this act, this violation of principle and gratitude? His words are—

“The sentiments conveyed in the Address of the White Inhabitants, when compared with the present feeling, is no feeble confirmation of the vacillating disposition, WHICH I HAVE ALWAYS GIVEN OF THE PUBLIC. Although, indeed, I am well aware that it does not speak the real sentiments of many, such testimony of the line of proceeding by which I have been uniformly governed is, perhaps, the strongest I could possibly lay before your Lordship, and may help, by comparison, to illustrate any obscurity in the representations which may now go forth.”

Now, it is worthy of remark, that this Address is dated November the 22d, 1821, at a period when Colonel Arthur had not adopted any of the violent or injurious measures against the properties of the Settlers in regard to the Indian claims: This he reserved until the principal Address (the Address of the White Inhabitants, as he styles it), had been signed, and its transmission to him insured. Caring but little after this for any umbrage that might be taken at his measures, he confidently commences his attack upon the property of the Settlers, and takes an excellent opportunity in his dispatch, dated four months after the Address had been signed, again to stigmatize the Inhabitants to Lord Bathurst, by calling his Lordship to notice that their feelings

¹ For this Letter, see Appendix G.

at that time are "no feeble confirmation of their vacillating disposition."

Colonel Arthur knows well, that had he adopted the measures (which he afterwards did) prior to the Address being proposed in the Settlement, it would not have had a dozen signatures, nor would his views have then been answered.

This Address, little as he seems to value it by the unhandsome use he has made of it, was prepared with every pains, and was received with apparent pleasure and pride by Colonel Arthur; yet by that very Address he urges every point against the Settlement, and paints the inhabitants to his Majesty's Ministers as little better than the very dregs of society.

Fortune has, however, favored us by his letters being published and brought to light, and has enabled the Settlers to expose him by those very documents which he had prepared for their destruction.

What can his most staunch and favored friends say to his conduct in thus involving them all indiscriminately in the same censure and odium, without the candor of even naming those to his Lordship, whom he had induced to believe that their interest, fortune, and respectability, were the chief objects he had in view, and who had supported him through all his measures, and rallied around him on all occasions:—Bitter and vexatious indeed must be the reflections they experience!

With all this accumulation of stigma which he has endeavoured to collect around us, he has forgotten to turn his eyes within his own bosom, and there read a self-convicting declaration, that he was in that very dispatch knowingly, wilfully, and premeditatedly, deceiving the Minister of his Sovereign in two glaring instances: He says to his Lordship, "the sentiments conveyed in the Address of the White Inhabitants;" he must have well known whilst he was writing this, from personal acquaintance with them, that a large proportion of them were colored persons, and several of them of the lowest description, and that there was not a word in the body of the Address which intimated that it came from the White Inhabitants alone.

We will, however, join issue with him that the Address did not speak the real sentiments of the Inhabitants, nor of the greater part of those who signed it. Prior to his going away, Colonel Arthur repeatedly declared, that he had written for more extensive powers, that he expected them, and that he should most assuredly return to Honduras with such: indeed, so positive was his declaration, that he asserted death alone should prevent him from coming back in some formidable shape, as his Majesty's Ministers had honored him by calling him home, to be consulted on very extensive matters relative to the place: persons consequently thought that the most politic measure to pursue would be to endeavour by early attention to avert the coming storm, and under this impression was the Address signed.

We will now refer to the second Address, and the utmost attention is requisite to analyse it. This Address, as it states, is the Address of the *Colored People of Honduras*: But what will the world say?

What will the Right Honorable Earl Bathurst think of this Superintendent, Colonel Arthur, who has told him that he has received and forwarded the Address of the Colored People, and which he believes "contains without exception the name of every male inhabitant of that class, of any reputation in the Colony?" What can be said, when we contradict this, and decidedly declare this is palpably untrue; when we declare that (of these Colored Persons who he states signed it) a large proportion of them are Negroes; some of them but a few days before were Slaves, and most of them but little advanced towards a civilized state of society; and we may safely declare, from our local knowledge, that the greater part of these people knew not what they were signing, and very few of them could read or write? Many of the Colored Persons, who have signed what is termed the White Address, have likewise put their signatures to this, thereby enlarging the list of names, in order to deceive the eyes of Ministers at home: What will be said when this is read? It will scarcely be believed that the signatures of so many Negroes should have been attached to an Address of this kind, and that his Majesty's Superintendent was privy to it. Yet such was the fact, although he unabashedly tells (as we have already stated) his Majesty's Ministers, that it contains the name of every male inhabitant of the Colored Class of any reputation in the Colony. Thus have we exhibited to the world two instances of most glaring untruth and deception in his dispatches to his Sovereign.

It is in vain for him to attempt to answer this by declaring that he was unacquainted with the circumstance that the major part of these people were Negroes, or of the lowest condition of Colored Inhabitants; for we well know, that from his long residence amongst us, from the restless and prying spirit of inquiry which distinguished his Government, and from the compactness of the community, so differently situate from a population diffused over a wide extent of country, that there was scarcely a man in the Settlement who was not personally known to him.

The most undue influence appears likewise to have been used, in order to cause young Men of Color to sign that which they would not otherwise have done. A promise had been some time before held out by Colonel Arthur, that he would use his endeavours to procure for them the same privileges as the White Inhabitants, and this promise, of such moment to the People of Color, we declare to have been their principal inducement. Although it is difficult to prove an assertion of this kind, yet we trust that the evidence of Mr. Francis Meighan, which is annexed, will fully establish it.

EXAMINATION BEFORE THE MAGISTRATES OF HONDURAS, NOVEMBER 24th, 1823.

FRANCIS MEIGHAN sworn.

Q. Was any inducement held out by Colonel Arthur, either directly or indirectly, to yourself, or any other person, who signed an Address of approbation to him, dated 22d November, 1821?

A. Yes; he held out to me that he would make use of his influence,

when he got home, to obtain for a few Persons of Color, that had been well educated, the same privileges as those enjoyed by White People.

Q. Does it come within your knowledge that the same inducement, as held out to you, was also held out to others?

A. Yes; I verily believe so.

Sufficient we think has now been said on these subjects. Stubborn facts speak for themselves, and we shall close this part of our Defence by annexing an Address to Earl Bathurst from a very considerable number of the Inhabitants, some months after Colonel Arthur's departure, when it was reported there was a chance of his returning: this Address speaks volumes, and we will consequently give it at length.

To the Right Hon. the Earl Bathurst, his Majesty's Principal Secretary of State for the Colonial Department, &c. &c. &c.

We, his Majesty's most dutiful and loyal Subjects, the Inhabitants of the British Settlement of the Bay of Honduras, beg leave to present to your Lordship our sentiments of profound respect, and to assure your Lordship of the happiness we experience in the removal of Colonel George Arthur, our late Superintendent.

At this time we forbear to call to your Lordship's attention the many calamities and grievances brought upon this Settlement by the illegal, oppressive, and unprecedented measures of Colonel Arthur, and, when brought under your Lordship's notice, we are persuaded they must meet with your most decided disapprobation and displeasure.

But, while we exult in our present state of tranquillity and security under the benevolent Superintendency of his Excellency Major-General Pye, we are alarmed at the positive assertion made by Colonel Arthur on leaving this Settlement of his speedy return, which embitters all our present comforts: and, however hurtful it might be to our interests, it is a duty we owe to ourselves to declare, that we prefer quitting this Settlement rather than again be subject to his arbitrary measures.

We entreat your Lordship to be assured that our utmost ambition is to deserve the confidence and good opinion of his Majesty's Government, however much our conduct may have been represented to the contrary; and we flatter ourselves that we shall ever be found foremost in allegiance to our Sovereign, and in the defence of the British Constitution.

We do therefore most humbly implore your Lordship's interposition with his Majesty, that he will in his paternal goodness be graciously pleased to continue Major-General Pye in the Superintendency of this Settlement.

And your Petitioners, as in duty bound, will ever pray.

John W. Wright, William Gentle, George Gibson, Edward Meighan, W. Usher, Thomas Pickstock, Marshal Bennett, John S. Hoare, George A. Usher, John Poingdestre, Francis Wood, John Johnston, George Spruat, Wm. Walsh, J. S. August, Frederick Coffin, R. W. Betson, Thomas Paslow, D. Betson, W. H. Coffin, Archibald Colquhoun, George Home, William Hall, Francis Meighan, James C. Altereith, Francis Valpy, Alexander Anderson, John M. Cunningham, Joseph E. Swasey, George Hume, James J. Monk, George B. Carter, Thomas Barnes, William T. Blake, Francis Young, William Gabouret, John Young, Samuel

DEFENCE OF THE

F. August, Edwin Coffin, George Usher, John Day Betson, John Brown, William Potts, James Forrester, Thomas Slade, David Thomson, John M'Loud, Samuel Cooper, William W. Armitage, W. N. Fagan, Major Rogers, R. Douglas, James Packer, Marshal Bennett, junior, E. M. Keene, Andrew Ross, William Lewis, John Thomas, George L. Gistock, William Beck, John Anderson, Joshua Gabourel, Thomas Moody, Thomas Anderson, John Smith, Samuel Howard, John Howard, Jervis Harrison, James Waldron, Thomas Blockley, William Hampshire, Thomas Lester, M. Gavin, John A. Craft, Hugh Garven, Benjamin Ward, John Mulcott, Nathaniel Caswell, Richard Harrison, David Dixon, John Usher, John Austin, Henry Pollage, Joseph Pollage, J. Cornish, William Hemsley, junior, Robert F. Wade, John Hunt, William Mackay, Stephen Stain.

Honduras, 24th July, 1822.

PART THE THIRD.

THE CONDUCT OF COLONEL ARTHUR, AND HIS PROCEEDINGS, IN UNJUSTLY DEPRIVING (WITHOUT TRIAL OR WITHOUT SUBMITTING THE QUESTION TO HIS MAJESTY'S MINISTERS) THE INHABITANTS OF HONDURAS OF THEIR PROPERTY, AND SHEWING THE UNHAPPY STATE OF THE COUNTRY IN CONSEQUENCE.

It was not, as has been already stated in the early part of this Defence, the wish or intention of the Magistrates and Inhabitants of the British Settlement of Honduras to have had retrospect to the many grievances and uncomfortable circumstances, which have occurred under the Superintendency of Colonel Arthur; but they must again repeat, that in consequence of the Correspondence and statements laid before Parliament and made by that Gentleman, affecting the characters and reputation of the Magistracy, and injuring the property and interests of the Inhabitants, and colored, magnified, and warped, to answer the private views and puerile piques of the individual who made them, they think themselves bound in justice to refute those calumnies, and to have the secret springs and motives of that power, which, under the cloak of asserting the rights of an oppressed and aggrieved race of people, has levelled its shafts to the injury of private feeling and the damage of private property, laid open to the world. A due subordination to legitimate authority is essential to the existence and welfare of society, but when that authority, to answer its private views, sacrifices its public integrity, and injures the Community which it was appointed to protect, it becomes the imperative duty of its Members, not only by a firm, manly, and temperate course of conduct, to oppose such measures, but, when their reputations and characters are attacked for so doing, openly to vindicate the steps they have taken, and the principles upon which they have acted. In the present exposure they will endeavour, although reluctantly brought into the field of controversy, to refute the injurious and unmerited aspersions which are not levelled against the living alone—but even against the dead, and to bring before those, who are to decide the question, all the circumstances connected with the business regarding the Slavery of Indians and their descendants.

But, before they enter further upon the subject, it will perhaps be necessary to state the reasons which have withheld the Settlement for such a length of time as since December, in the year 1821, from taking some measures for averting the odium which has been so lavishly bestowed upon it. It seems at the first view singular indeed that so long a period should have elapsed, in which machinations of the blackest tendency were at work to overwhelm in their conse-

quences character and property, without some attempt having been made to counteract them; but when it shall appear that those machinations were carried on in so specious and artful a manner, that their dangerous tendency was scarcely to be defined; when it shall be made evident that that confidence, which is usually attached to the good faith of the Representative of Majesty, was but made the channel of deception; when it shall be shewn that every attempt to gain information respecting the intentions of Colonel Arthur in support of the Indian claims was rendered abortive by a refusal to deliver up the papers connected with the business, they trust it will no longer be a matter of surprise that the Settlement has been thus late in its defence. Whilst Colonel Arthur remained there were no hopes of ascertaining the extent of the mischief which was meditated; but on his departure for Europe the Magistrates, eager to learn something of a business in which the Community at large was so intimately interested, made an application to Major-General Pye, who wrote to the Keeper of the Public Records, directing him to take into his possession all papers and documents connected with the Indian business. Thus authorized by his Majesty's Superintendent, the Keeper of the Public Records made an application to the Clerk of the Board, requesting him immediately to transmit them, but received for answer that, the papers having been placed in his hands as Clerk to the Board by Colonel Arthur, he did not conceive himself justified in delivering them up without his (Colonel Arthur's) sanction.

Thus, without a knowledge of the tenor of the charges intended to be brought against them, or of the best mode to pursue in establishing their defence, the Settlers awaited in deep suspense and anxiety the termination of the business. The arrival of the Correspondence relative to the condition of Slaves at Honduras, as published by order of the House of Commons, and which reached the Settlement only in November, 1823, has at length enabled them to enter on their defence, and, as they trust, in the language and feelings of an insulted and injured people, to repel those calumnies and aspersions with which their traducer has endeavoured to load them.

Having premised thus far, our object is to trace this arbitrary proceeding from its commencement, and in detail to expose the subtleties, artifices, and machinations, which have attempted to subvert long-established claims, to blast and ruin character and reputation, and, by unsettling and shaking to their very foundation those principles of servitude instilled into the Slave from his birth, to open a path to scenes of anarchy and bloodshed, from which the mind recoils with horror.

On the 19th of November, 1821, Colonel Arthur, as his Majesty's Superintendent, attended the Legislative Meeting of the Inhabitants, and in the course of a long speech (an extract of which is annexed) he remarked, to the astonishment of the Meeting, that he had re-

¹ For the Proceedings of this Meeting, see Appendix No. 1.

ceived a number of petitions from persons claiming freedom as Indians, or of Indian descent. He then proceeded further to state, "The plan I propose pursuing is (and I hope it will satisfy all parties), to call upon a Committee of the most intelligent persons concerned, to state the grounds on which they defend their right to the servitude of those people, and then transmit the same with the petitions to his Majesty's Government for instructions on the several questions." Whatever might have been the surprise of the Meeting at thus hearing claims, which not one of its Members had ever supposed liable to dispute, supported by the highest authority in the Community; whatever might have been the mistrust that naturally arose on the recollection that no individual at that Meeting, except those who might have been in his confidence, had the smallest knowledge of what had been going on between these people and the Superintendent; yet, on the whole, this declaration of Colonel Arthur was satisfactory, since the Proprietors, conscious of the integrity and rectitude of their conduct, wished for nothing more than that the question should be fairly and impartially discussed, and which fair and impartial discussion they conceived was decidedly guaranteed by a declaration, thus publicly made in their Legislative Assembly and by the Representative of Majesty.

With this understanding then they waited with anxious solicitude, but without the smallest distrust, to see these measures adopted, when, on the 31st of December following, the Community was apprized that Colonel Arthur had assembled a Meeting at the Government-House, on the subject of the Indian claims.¹ This Meeting can be considered in no other light than Military, since we find Major-General Pye, the Officers of the Garrison, the Field-Officers of the Honduras Militia, the Chaplain of the Garrison, and the Secretaries of his Majesty's Superintendent, forming the principal part of it; whilst, on the contrary, it would naturally be supposed that, on a question of such momentous and vital importance, in which the properties of many of his Majesty's subjects were at stake, the first object would have been to have called together an Assembly, as numerous and respectable as possible, comprising not only the Civil Powers, but including likewise the most respectable Inhabitants, together with all that part of the Community interested as Proprietors of the descendants of Indians, in order that the grounds might be heard on which the latter defended their claims to the servitude of these people, and that *that pledge* might be redeemed, which had been so unequivocally given to the Legislative Assembly on the 19th of November.²

To this Assembly then Colonel Arthur addressed himself in these words:

"At the opening of the late Public Meeting, I alluded to the state of Slavery in which several of the Indians and their descendants

¹ For the Proceedings of this Meeting, see Appendix No. 2.

² See the Proceedings of this Meeting, Appendix No. 1.

were held by some of the Inhabitants of this Settlement, and I also suggested measures, which I proposed adopting upon the subject, trusting it would have met with general approbation.

"The circumstance, however, passed without the smallest attention, and I am left in ignorance to the present moment, whether the proposition was satisfactory or otherwise to the Community."

The Pompey having since the "Public Meeting presented me with an opportunity of referring the case for the opinion of the Attorney-General of Jamaica, through the medium of W. Bullock, Esq. Secretary to the Lieutenant-Governor, I shall beg to read to you the answer I received from that Gentleman."¹

Confounded and surprised at this circumstance of Colonel Arthur being already possessed of the opinion of the Attorney-General of Jamaica, the few of the Meeting who were interested in the question stood incapable of an answer. Unacquainted with the grounds on which the Attorney-General had formed his opinion, or the coloring which Colonel Arthur might have given to the matter, they saw an overwhelming force coming suddenly upon them, before it would be possible to concentrate their measures in order to resist its effects; and when Colonel Arthur, with the tact and talent of an able politician, shifted his ground, and proposed a Commission to hear evidence in proof of Indian descent, they submitted, glad to catch at the shadow of any circumstance which wore the appearance of impartiality, or which could alone enable them to meet the matter fairly and openly. Conscious of the integrity of their own intentions, and still relying on that impartial administration of right which the mind naturally attaches to the Representative of Majesty, they acceded to the measure proposed, but soon found that the rock on which they had built their confidence was as unstable as before. Scarcely had the Commission commenced its sitting, when the Magistrates received a Letter from Colonel Arthur, which enclosed a Proclamation,² declaring at once the descendants of Indians to be free; and thus, by this hasty, injudicious, and impolitic proceeding, without a trial, or even without a hearing, property was sacrificed, the tie was loosened between Master and Slave, and the spirit of defection from their employers not only became general amongst this class of Slaves, but extended its baneful influence over the African Negroes, on whose untutored minds it was difficult to impress the conviction that they also had not a right to the same privileges.

We will now exhibit an Extract from Colonel Arthur's Letter³ to Earl Bathurst, of date the 10th of January, 1822, in which he gives his account of this memorable day's transaction, and in which it will be observed he breathes the same spirit of ill-will towards the Settlement which pervades the rest of this Correspondence: he states—
"On the 31st ult. I assembled the Commissioners of the Supreme Court, and the Magistrates, with the principal Inhabitants (*all being*

¹ See the Letters in the Proceedings of this Meeting, Appendix, No. 2.

² See Appendix, Nos. 3 and 4.

³ See the Letter, Appendix, No. 5.

parties concerned), at the Government-House, and having laid before them the opinion of his Majesty's Attorney-General, that it was illegal to hold the Indians or their descendants in Slavery, and having read to them the extract of the Consolidated Slave Law on the subject, I proposed the appointment of Commissioners to investigate into the descent of the reputed Indians, who *should also award fair and reasonable reparation to such as had been illegally held in Slavery.*"

Surely such a paragraph as the foregoing was sufficient to ruin the Settlement in the estimation of his Lordship. Imagine the degrading picture of a number of individuals bending before his Majesty's Superintendent, and eager to support any measures he should propose, if, in his beneficence, he would remove the effects of the criminal prosecution which was impending over them. The Settlement cannot but imagine what must have been his Lordship's opinion; but it is with deep and aggravated feelings of indignation that, on reference to the Meeting of the 31st of December, they find that there are two assertions in that Dispatch which are palpably and grossly untrue.— "I assembled the Commissioners, &c. *all being parties concerned.*"— And again, "I proposed the appointment of Commissioners to investigate into the descent of the reputed Indians, who should also award fair and reasonable reparation to such as had been illegally held in Slavery."

Now, in the first instance, as has been already stated, there were but six present, who were interested in the Indian claims, and in the second instance not a word was expressed by Colonel Arthur (which can be fully ascertained by reference to the Meeting¹) regarding an award of a fair and reasonable reparation to such as had been illegally held in Slavery. It is said, that he who tells not "an honest tale" requires a retentive memory, and in documents of this importance, where assertions are made, which are unsupported by facts, we have a right to look with a jealous and suspicious eye on other parts of the Correspondence.

In retracing the despotic measures carried into effect at this Meeting, we have not only to expose a forfeiture of public faith, a violation of that pledge on which the public had so securely relied; we have not only to remark the subtlety with which he forgets the declaration of caution which he gave at the October Meeting, and the plan which he then declared he should adopt; but we have to reprobate, in strong and feeling language, the ungenerous attempt he has made to throw blame and odium on the Inhabitants, by inferring in his address to that Meeting that not the smallest attention had been paid to his proposition at the October Legislative Meeting, since he must have been perfectly aware that the pledge which he gave to the public at that Meeting, and on which they had relied implicitly and securely, alone prevented them from stirring in the matter.

In reviewing the proceedings of this Meeting, we would again draw the attention to that which has been already stated, viz. that

¹ See Appendix, No. 2.

the Meeting of the 31st December¹ can only be considered as a Military Assembly, or tantamount to such. According to the minutes of the Board of that day, we find assembled, his Majesty's Superintendent, Major-General Pye, the Judges of the Supreme Court, the Magistrates of the Settlement, the Reverend John Armstrong, the principal Officers of the Garrison, the Field-Officers of the Prince Regent's Royal Honduras Militia, the Secretary and Assistant-Secretary of his Majesty's Superintendent, the King's Advocate *pro temp.*, the Keeper of the Public Records *pro temp.*, the Provost-Marshal-General, the Officer of Police, the Crown Surveyor, and the Paymaster of the Prince Regent's Royal Honduras Militia. Why then does Colonel Arthur mislead Earl Bathurst, by stating that the Meeting consisted of Commissioners of the Supreme Court, the Magistrates, principal Inhabitants, and Field-Officers, &c.? The matter is easily solved: In a small Community, such as we have in Honduras, we find the same persons invested and commissioned at once with the various offices and appointments of Judges of the Supreme Court, of Magistrates and Field-Officers of the Militia, a sort of multiplication of one and the same personage, of which Colonel Arthur has most adroitly availed himself, in order to give the appearance of numbers to his Meetings, without an absolute dereliction from the truth. In his Dispatch to Earl Bathurst, of the 10th of January, however, he presents the Members of this Meeting of the 31st of December to his Lordship in their Civil, and not in their Military, capacities, and speaks of them as Judges of the Supreme Court, Magistrates, and principal Inhabitants only. He must have felt, no doubt, that had the Meeting worn too much the appearance of a Military Assembly, his Lordship would most probably have expressed his surprise that a question of such vast and momentous importance, affecting not only the property, but, in some degree, the characters of a considerable part of the Community, should have been disposed of by individuals who were neither interested as Proprietors, nor amenable as Military men for any wrongs they might commit.—It is our wish correctly to state the number that was present, and we find them to be twenty-three. All of them, with the exception of six, either Military men, as Officers of the Garrison, and Field-Officers of the Militia, or Gentlemen holding offices under the Crown. There were six Proprietors, but to no very considerable extent. To this Meeting Colonel Arthur addressed his proposition for appointing a Board of Commission, with adequate powers to investigate into the claims of the descendants of Indians. This was acceded to, as we have already stated, on the part of the Proprietors, with the expectation that, as nothing farther could be done until the Board made its report, time would be thus afforded them to concentrate their measures, and defend their rights. But the Proclamation of Colonel Arthur of the 5th of January, 1822,² declaring at once the descendants of Indians to be free, destroyed

¹ For the Proceedings of this Meeting see Appendix, No. 2.

² See Appendix, No. 4.

the last prop to which, in the extremity of their case, the Proprietors had clung.

But, notwithstanding this, the Magistrates, actuated by every wish to facilitate the progress of the examination, in order that justice might be rendered as speedily as possible to all parties, wrote to Colonel Arthur in reply,¹ and offered the public purse to bear all the expenses of the proceedings.

This fair and liberal offer, not answering the views of Colonel Arthur, passed of course without notice, and on the 8th of January, 1822, he communicated by Letter² that he had himself appointed Commissioners.

In tracing the whole of these proceedings of Colonel Arthur, we have to exhibit a detail of arbitrary measures, enforced by a still more arbitrary power; but we have now to record an act of despotic authority, the equal of which has never disgraced the annals of a free State, and which can scarcely be conceived to have been perpetrated in a Community, claiming the protection of the British Constitution and the rights of British subjects. On the 22d of January, 1822, Colonel Arthur, conceiving perhaps that some of the enfranchised Indians, notwithstanding his Proclamation, might still be inclined, from motives of affection and excellent treatment, to remain with their Masters until the question of freedom had been decided at home, issued his warrant to the Commissioners,³ under a most weak pretence, to empower them to order the Provost-Marshal to take into his charge all Indians laying claims to their freedom.⁴ This they did, and thus was forcibly wrested from the Owners all controul over a property, of which no Act of the Law had yet deprived them. This stretch of prerogative in the Representative of a Government, restrained by the very spirit of its Constitution from infringing the rights of the Subject, was followed by a measure, as dangerous and impolitic in its tendency as the other had been unjust and arbitrary in its principle: The Provost-Marshal received orders to muster the Indian claimants weekly in the open streets, and thus to exhibit to the unenfranchised African Negro an example, which was calculated to arouse the worse passions of his soul, and to open to his mind views and impressions which otherwise might have slumbered for ever. Incapable from his confined state of intellect, unexpanded by the influence of education, of comprehending definitions of rights and claims established by treaty, the African, as he saw the descendant of the Indian, who was lately his fellow-labourer, "free as the wind of Heaven," felt deeply aggrieved that he was not likewise a participator in the same freedom. To the naturally good disposition of the Slaves of Honduras, and to the excellent treatment which they have ever experienced from their Owners, Colonel Arthur might attribute his good fortune that he has not to answer at the bar of his country for the commission of those crimes,

¹ See Appendix, No. 6.

² See Appendix, No. 8.

³ See Appendix, No. 7.

⁴ See Appendix, No. 9.

and the perpetration of those outrages, which have always distinguished the acts of a Slave Insurrection.

On the 28th of January, 1822, Colonel Arthur wrote to the Magistrates on the subject of the Indian claims, again referring to the opinion of the Attorney-General of Jamaica, and alluding likewise to the reparation to be awarded to these people.¹ This Letter will be read with attention, for, if the Settlement had not been previously impressed with the conviction that neither justice nor impartiality was to be expected from their Superintendent, this undoubtedly would have convinced them. The whole tenor of the Letter breathes nothing but insult added to injury. He can speak of the *poor* and oppressed Indians; he can advocate the cause of an aggrieved and injured race of people, at the very time that he is infringing rights, ruining property, and with cold indifference reducing families from competency to beggary. The poor Owners come not within the verge of his charity: Their losses, their inconvenience, or their ruin, seem to be to him a matter of total indifference. Philanthropy of this sort, which is exclusively directed to the ameliorating the condition of one race of beings to the destruction and ruin of another, we have a right to regard with an eye of suspicion. It is the philanthropy of the hypocrite!

Appearing still unsatisfied with the lengths to which he had gone, or wishing still further to intimidate the Settlement, Colonel Arthur, at the close of this Letter, threatens the parties with a writ of *mandamus* from the Court of King's Bench to remove them for trial to England, &c. This Letter, however, was overwrought, and in its effects proved diametrically opposite to Colonel Arthur's views. It was impossible that during these scenes of oppression and tyranny the Magistrates, however reluctant they might have felt to act in opposition to the views of his Majesty's Superintendent, could look on with an indifferent eye, and see the rights of their Constituents thus trampled on by one, at once regardless of the violation of public faith, and the sacred confines of private property. They began to seek by what right these descendants of Indians really claimed their freedom, and in consequence wrote a Letter to Colonel Arthur, dated February the 5th, praying to be allowed to see the documents upon which the Attorney-General gave his opinion.² To this Letter Colonel Arthur never deigned a reply.

It appeared, however, that he now felt convinced that he had gone too far, and, apprehensive that he should not be able to quell the storm that was gradually gathering around him, he had again recourse to his favorite measure of calling a Meeting at the Government-House.³ On the 11th of February, 1822, this Meeting was held, and was composed of sixteen persons, five only of whom were interested: At this Meeting, small as it was, he met with an opposition, which he had not before experienced: The eyes of men were

¹ See Appendix, No. 10.

² Ibid. No. 11.

³ Ibid. No. 12.

now opened: It was perceived that unfair advantages had been taken of previous concessions, and in the very language of Colonel Arthur himself there appears a degree of constrained moderation, as if he himself were conscious of having gone too far. It is singular that at this meeting he declared "I shall not take upon myself to give freedom to one single Indian." Had he forgotten his Proclamation of the 5th of January, or his Warrant to the Commissioners of the 22d of the same month? By this Proclamation and Warrant the Indian Slave was rendered as independent of his proprietor, as if the strongest act of the British Legislature had insured him his freedom. But to such incongruities and violations of truth on the part of Colonel Arthur we have been so accustomed throughout this business, that it has ceased to excite our astonishment.

By Colonel Arthur's conduct at this Meeting it will likewise be perceived that he used the same deep system of political duplicity towards his Majesty's Ministers, which he had previously displayed towards the Settlement. Aware that the Meeting was not likely, as the former did, by seconding his views to compromise their undoubted rights, and, without a trial or any legal process, to sacrifice their property, he declares "that he is sorry to perceive that transmitting the whole of the documents to his Majesty's Government is the only alternative." By thus throwing the matter into the hands of Ministers at home, he hoped to cover his retreat from a dilemma, into which his own rashness had plunged him, and from which he dreaded his abilities would be unable to extricate him. With this view he writes a Letter to the Secretary of State, dated the 28th of February, 1822, in which he endeavours to make him become the instrument of a system of oppression too mighty for his own guidance.¹ He tells him, "I have gone too far to retract, and it alone remains for me to submit the case to the wisdom of his Majesty's Government, in the confident hope it will be considered that I have done nothing more than my duty:" He then expresses a hope "that some authority with ample powers might be constituted to emancipate these people." Here must be remarked the deep political craft, which he has evinced in this Letter. He asks for approbation to measures, which he knew he could not justify, that under the sanction of Government he might screen himself from the indignation of the Settlement, and he suggests the necessity of ample powers being sent out to do what he had already done, as he was aware that the powers which he then possessed did not authorise him to stretch his prerogative to the lengths to which he had carried it. After having pledged himself solemnly in the early part of the business that he would submit all to Government, and not move himself, we find, in the progress of the affair, that he successively becomes the judge, assumes kingly powers, disregards his Government, does irreparable injury to many of his Majesty's Subjects, and then asks the applause of his Govern-

¹ See Appendix, No. 18.

ment, without having submitted the case to their wisdom, until he found himself compelled by necessity. With the greatest confidence we shall appeal to the wisdom of his Majesty's Ministers, and ask them this simple question. Had Colonel Arthur adopted the cautious measures to which he solemnly pledged himself; had he only received the petitions of these people, and heard the replies of the Owners, without holding out to these ignorant creatures the prospect or the hope of emancipation, which perhaps never would be realised; had he transmitted the whole silently to his Sovereign for his decision and orders; would they not have applauded him, would they not have said he was a faithful and cautious Servant, and had acted wisely? Then time could have been given for due consideration, and, if in the end the claims of these people should have been considered just, how delightful would have been the surprising intelligence to them; how superior would have been their enjoyment, in comparison to the wretched state of suspense they are now in. If their claims had not been approved by our Sovereign, no misery, no wretchedness, and no heart-rending feelings would have been excited: They would have been entirely ignorant of the discussion of the question, and remained contented where they were before. But now, it is a dangerous and trying question, let it be decided as it may: On the one hand the greatest mischief and most fatal consequences are to be apprehended, and on the other the most wretched disappointment. Colonel Arthur, by his imprudence, has plunged his Majesty's Ministers into difficulty, and excited feelings that the most soothing hand can never soften.

There is also in this Letter, under date the 28th of February, 1822, a paragraph, wherein he endeavours again to impress upon his Lordship that the most vile acts of atrocity were constantly committed on the Indians on the Mosquito Shore. He tells Lord Bathurst that instead of his Majesty's instructions being complied with, "which at all times manifested the most tender concern to secure the mildest treatment towards this inoffensive race of men, by the affidavit of some of the most respectable evidences your Lordship will observe these poor Indians were hunted down in all quarters, and absolutely smoked out of the holes and caves, in which they had taken refuge from their rapacious and merciless pursuers."¹

What a field for the sentiment and feeling of this kind-hearted philanthropist to expatiate on! Yet will it not appear an act of the deepest injustice, when we declare that the circumstance is grossly exaggerated and wilfully mistated, for it will be distinctly seen, by reference to the proceedings of the Commissioners, that there are only two evidences who speak relative to such a circumstance: One is a poor, simple Buccatora Indian: But, as it has been deemed necessary to re-examine her, we shall refer to her evidence, by which it will be seen that at the best it is but hearsay, and we can also de-

¹ See Appendix, No. 9.

cidedly say that it is by tradition alone that she knew of the circumstance (and which she fully explains in the testimony here referred to), it had occurred about one hundred years before she was born, as the old King Jeremy she describes as fitting out the expedition, and who is said to have committed these acts, governed the Mosquito Shore during the reign of Charles the Second.

The other evidence is a Negro woman, who also is not aware of any such circumstance but by hearsay.

This misrepresentation is then too evident: It can require no comment: It only adds to the long chain of perversion of facts and the exaggeration of circumstances, on which we have so often commented in former parts of the Defence.

PART THE FOURTH.

SHewing THE AUTHORITY BY WHICH HIS MAJESTY'S SUBJECTS IN HONDURAS HELD THE PROPERTY; OF WHICH COLONEL ARTHUR UNJUSTLY DEPRIVED THEM, AND THAT THEIR TITLES TO THE SAME WERE GROUNDED ON AN ACT OF THE LEGISLATURE PASSED BY HIS MAJESTY'S SUPERINTENDENT IN COUNCIL ON THE MOROQUITO SHORE; ALSO EXHIBITING THE INJUSTICE OF COLONEL ARTHUR IN HIS LETTER TO WILLIAM BULLOCK, ESQUIRE, SECRETARY TO THE LIEUTENANT-GOVERNOR OF JAMAICA, OF DATE, 26TH NOVEMBER, 1821.

AFTER having thus traced, as was our intention, the conduct of Colonel Arthur throughout this momentous business, and we trust that under all the circumstances it has been done with temper and impartiality, it becomes our province next to inquire on what grounds Colonel Arthur considered himself justified in these arbitrary proceedings, and by what documents and evidence he conceived himself authorised in disputing rights and property, which had remained undisturbed for the space of nearly a century, and we shall then shew by what title we hold it.

In the subversion of long-established claims, sanctioned by the venerable fiat of time, it is usually considered that the greatest caution and circumspection should be observed, and that the testimony, either written or oral, on which such change or innovation is attempted, should be of the strongest and most undeniable kind. To Colonel Arthur oral testimony was in a great measure denied by the long lapse of time, and from the records of that period he could alone hope to gain the information he required. To these records he had access: they were laid before and examined by the Commissioners of his own appointment and choice, and on them we are to suppose that the measures he pursued, and the acts which he authorised, were grounded. What then are we to think? When, after the departure of Colonel Arthur for Europe, and free access was had by the Settlement to those records, the very first document, which presented itself to the view, was the very authority and grounds on which the descendants of these people were held in Slavery, and which will, to every unprejudiced mind, exonerate the Inhabitants from the odium, which he has cast upon them in his Letter to Lord Bathurst, dated 10th January, 1822, and to Mr. Bullock, of Jamaica, and which should have set the matter for ever at rest.

Having referred to this important paper, which, from some inexpli-

¹ For these Documents see Appendix, No. 5.

cable cause, could not be discovered during Colonel Arthur's stay in this country, although the keeper of such document was acting under his immediate control, and which also brings to light the injustice of this Superintendent, and at once establishes the claims of the Indian Proprietors, we think it necessary, in order to elucidate the matter still farther, to shew, that this document is the title by which the Proprietors hold these people, and that it is an Act of the Legislature of the Mosquito Shore, and founded on the express instructions of his Majesty's Ministers through Sir Basil Keith, Governor of Jamaica.

It is a matter well known here that a trade had been carried on, now near a century past, by persons from North-America and Jamaica, particularly with the Darien and San Blas Indians, on what is termed the Indian Coast, and that they obtained Slaves from thence: this was carried on to such an extent, that the Island of Jamaica, in the year 1741, passed an Act prohibiting such traffic, but at the same time confirming a right of property to those already obtained; but this not appearing to have the desired effect, and that these traders were approaching near the Mosquito Shore with the same intent, the Mosquito King, in the year 1775, sent an Embassy to London, to pray our Government to stop the practices in British subjects. This Embassy was favorably received, and in consequence orders were instantly transmitted to the Governor of Jamaica to take the most effectual measures to prevent it; and as the Mosquito Indians had, in several of their skirmishes and wars with the Indians of the interior (who were constantly being incited by the Spaniards in the back countries to attack them, in consequence of their friendship and alliance with the English), taken some prisoners, and some of whom they made Slaves, some they took as wives, and some they sold to the English Settlers in their country, Sir Basil Keith, then Governor of Jamaica, who had received the most positive instructions from the Right Honorable the Earl of Dartmouth, his Majesty's Secretary of State, wrote to the Inhabitants of the Mosquito Shore,¹ and acquainted them that he had sent to them a Mr. Fergusson as his Majesty's Superintendent, with Instructions and a Proclamation, drawn up in the words of Lord Dartmouth, on that and other subjects.

This Letter and the arrival of Mr. Fergusson gave universal satisfaction,² and all men cheerfully joined him in his endeavours to remedy every evil; and he, fully to exhibit to the Inhabitants the intentions of their Sovereign in regard to their conduct, and to the enslaving of Indians, lays before them the Letter from Sir Basil Keith to Robert Hodson, Esquire, their former Superintendent, dated the 29th of December, 1775, and enclosing Lord Dartmouth's letter of the 2d of August, 1775, to him, Mr. Hodgson:³ he then

¹ For this Letter see Appendix, No. 14.

² See the Inhabitants' Letter, Appendix, No. 21.

³ For these Letters see Appendix, Nos. 15 and 16

immediately obeyed the commands of his Sovereign, and published the Proclamation,¹ agreeably to Lord Dartmouth's Letter of Instructions to Sir Basil Keith; he also published on the Mosquito Shore the Instructions he received from Sir Basil Keith, wherein he was directed immediately to cause a Council to be elected, who should with him act as a Legislative Body, and that, agreeably to Sir Basil Keith's Proclamation,² the Inhabitants should no longer act under Laws not sanctioned or not approved by their King.

The next act of Mr. Fergusson, the King's Superintendent, was, in obedience to these his orders, to issue his Proclamation, calling upon the Inhabitants to assemble together and elect a Council.³ This Council was elected, was sworn, and commenced legislating, and, after enacting some Laws, they proceeded to carry into effect the wishes of his Majesty's Government, by passing a Law to prevent British subjects purchasing for the future any Indians.

On the 22d of August, then, in the year 1776, his Majesty's Superintendent in Council, appointed and approved under the express sanction of his Majesty's Government, passed a Law, prohibiting in future any Indian, or descendant of Indian, being bought from the Indian tribes, taking the Act of Jamaica of the year 1741⁴ for their guide, which indeed they almost copied, BUT AT THE SAME TIME, BY THE THIRD CLAUSE OF THIS ACT, EXPRESSLY CONFIRMING THOSE ALREADY POSSESSED.

Here the Inhabitants now make their stand. On the faith of their Government they rest. The persons, whose properties were thus secured to them by this Act of Legislature, now sleep in the grave, and those properties have been transferred into many and various hands, and have come mostly by purchase to the present holders.

On this Act they found their claim to the descendants of these people, who were removed to this country under the orders of his Majesty's Government, on the evacuation of the Mosquito Shore in the year 1787, and there has not been a single Indian enslaved since the passing of that Act: as such, it is clearly demonstrated that the descendants of Indians in this Settlement are the descendants of those held in Slavery previous to the passing of this Act, which so particularly provides for that point in the third Clause alluded to: consequently, without a breach of public faith—without trampling under foot and rendering null every Law—without destroying those barriers and bulwarks, which have been erected by the labors of the wise and the learned for the protection of private property—without a violation of those rights, which are the boast and privilege of Britons, the claims of the Proprietors to the servitude of these people must be clearly and decidedly established.

We cannot, however, avoid commenting on one most singular and

¹ For this Proclamation see Appendix, No. 17.

² For the Instructions see Appendix, No. 18.

³ For this Proclamation see Appendix, No. 19.

⁴ For this Act of the Legislature see Appendix, No. 20.

remarkable circumstance; that this Act, so important in its results, and which, if it had been promulgated, would at once have averted all the circumstances of this unfortunate business, should never have met the eye of Colonel Arthur. Knowing Colonel Arthur as we do, a man profound in researches where his interest or his attention was drawn, with free access to every part of the Mosquito Records, it wears an appearance of such a violation of public principle that we blush as we record it.

It is in vain that he will tell us that he never heard of or saw this document: the record bore every mark of having been examined, the book opening more readily at that folio than any other; and supposing even that this Act was never seen by him, which is conjecturing an almost impossibility, it would only shew the remissness and negligence with which a question of this vast importance to the Settlement was treated by one, to whom the power had been delegated by his Sovereign to watch over and guard its interests.

In addition to this, it is absolutely necessary that we animadvert on his (Colonel Arthur's) Letter¹ to Mr. Bullock, the Secretary of the Lieutenant-Governor of Jamaica, under date the 26th of November, 1821.

This Letter is not only, like many others of Superintendent Arthur, glossed and softened down with that specious reasoning and deception, which he was so well aware played upon the feelings of the major part of the People of Britain, and which have now for a length of time been by artifice and delusion kept constantly awakened, but it is a masterpiece of every thing but what is upright and honorable.

By those unacquainted with the Mosquito Shore when it was settled by the British, and with the Bay of Honduras, their local customs, their Inhabitants, the general kindness of Owners to their Slaves, and the fidelity of those people, it would from this Letter be inferred that they were but little better than a lawless band of ruffians, who found no difficulty in committing the greatest acts of injustice and oppression. His first paragraph opens the libel by stating, "that, notwithstanding the greatest opposition, the freedom of eighteen persons was established by a Bench and Jury." His play upon the word "greatest opposition" is dishonorable in the extreme; he would wish it to be believed that the People generally, or the Authorities of the Country, had offered opposition. We deny the correctness of the statement, and declare there was not any opposition.

The Owners of these people it is true, when they found claims started and measures adopted to take away property that had been held for near a century past, and had been transferred through many hands, naturally used their endeavours to shew their right to what they held: surely such cannot be called opposition! Individual

¹ For this Letter see Appendix, No. 5, in a Letter to Lord Bathurst, enclosing this Letter to Mr. Bullock.

exertion to protect rights, which were never before disputed, cannot, in the eyes even of the most enthusiastic friends of General Emancipation, be considered what Colonel Arthur so malignantly wishes the world to think. These people did certainly obtain a verdict in their favor, nor shall we even attempt to discuss the merits of that verdict, but shall simply state this—that in the year 1774 their forefathers tried the cause for their freedom, soon after the death of their Master, who is stated to have given them their liberty: the trial took place when all the parties concerned, who well knew their claims, when all the witnesses in their favor, were alive; yet, strange to say, that in those days, after a patient hearing, it was found that they were not entitled to their freedom, and it is still more strange that half a century after circumstances should so have altered as to entitle them to their manumission, when the oral evidence, which could have developed and explained every transaction, had ceased to live. Yet, after all this, after Superintendent Arthur had gained the point, he is still alarmed, and tells Mr. Bullock that “THE INJUSTICE IS SO EXTENSIVE, THAT HE FEELS IT NECESSARY TO PROCEED WITH THE GREATEST CIRCUMSPECTION.”¹

From this not only would the world draw the most unfavorable conclusions, but would consider by the next paragraph that his Majesty's Superintendent on the Mosquito Shore (that highly respectable Officer, Colonel James Laurie) had been sanctioning the greatest acts of injustice, nay, that he had been a leader in the whole of it: but we shall give an extract from the Letter:—

“I do myself the honor to communicate to you, that in consequence of some proceedings in the Courts of this Settlement, about six weeks since, it was developed that a large number of persons were most unjustly held in Slavery: a prosecution was in consequence instituted by the acting King's Advocate, Major Coatquevelin, and, notwithstanding the greatest opposition, the freedom of eighteen was established by a Bench and Jury. The petitions from persons representing themselves to be unjustly held in Slavery, which have since been laid before me, are so numerous, and the injustice, which has for years been practised, is so extensive, that I feel it necessary to proceed with the greatest circumspection. Amongst other applicants a very large body of persons claim their freedom from Indian descent.—After a strict search into the old Mosquito Shore Records, the enclosed Proclamation by Sir Basil Keith has been discovered, with an advertisement by Colvil Briton, by which it appears the Governor of Jamaica had obtained information that several native Indians had been enslaved at the Mosquito Shore, and, after noticing the illegality and inhumanity of the measure, the Proclamation most strictly prohibited the practice. This Proclamation was forwarded to Mr. Laurie, then acting Superintendent, who, being himself deeply implicated in this inhuman transaction, seems to have shuffled over the difficulty by calling for a return of the Indian Slaves in possession of British Subjects, and prohibiting the enslaving of any more,

¹ See Letter in Appendix.

without taking any steps towards the emancipation of those who were at the time held in Slavery. The consequence was that, on the evacuation of the Shore, these poor creatures, with their children, were shipped off for Honduras, where, with their descendants, they have ever since been continued in bondage.

"These Indians have of course in some cases passed by sale from their original importers into other hands, and such Proprietors refuse to admit their right to freedom, on the grounds of their having, as they consider, fairly purchased them: others maintain that, although Sir Basil Keith's Proclamation prohibited the farther Slavery of Indians, he did not require those to be given up who were already in Slavery. Both arguments appear to me equally weak and untenable. Sir Basil Keith's Proclamation can never be considered to sanction an act, which I believe has ever been deemed illegal; and, although his Proclamation did not specifically require the immediate emancipation of the Indians then in Slavery, it is very probable instructions to that effect accompanied the Proclamation: besides, it expressly interdicts any more Indians being shipped off from the Shore, and of course, without an infraction of that part of the Proclamation, they could not have been brought to Honduras."

In all cases where the acts of Governors are likely to affect either the honor, character, or property, of Individuals under their Government, or in all cases where questions of great moment, where perhaps inevitable destruction awaits the least false step, it is the duty of such Officers to have a perfect knowledge of every fact; to have made the most minute inquiries; to consult every authority, and to act with the utmost fairness and candor, and by no means to act the harsh oppressor of the one in order to relieve the other, or at all to hurry such questions. It was Colonel Arthur's duty at least to be made acquainted with the measures of his Government, and particularly those which came within the range of his own office, and, if no satisfactory information could be obtained there, then he should have applied to those who were his natural Counsellors, to the Judicial Authorities of his Government.—Colonel Arthur did not do so, and indeed his measures were mostly secret, and must have been founded in ignorance or something worse: but there is every fair reason to believe that his measures were not the result of ignorance, for his own words are, "After a strict search into the old Mosquito Shore Records, Sir Basil Keith's Proclamation was found."

We do not pretend to deny there was a search, and a strict one, and had it been so willed by him, he would not have libelled the dead in the manner he has done; he would have fairly reported what those Records shew, viz. that Mr. Fergusson was sent down by Sir Basil Keith to the Mosquito Shore as his Majesty's Superintendent, with the Proclamation alluded to; that he arrived there on the 8th day of January, in the year 1776, and issued this Proclamation, and that it was not, as Superintendent Arthur says, "FORWARDED TO COLONEL LAURIE:" he would have noticed Sir Basil Keith's Letters

* For the whole of this Letter see Appendix.

and Instructions to Mr. Fergusson regarding this Proclamation, which his Commissioners, in their Report, say "THEY HAVE PERUSED WITH THE GREATEST ATTENTION:" he would have found that Mr. Fergusson issued another Proclamation, calling for a Council to be elected; that that Council was elected; and that his Majesty's Superintendent, Mr. Fergusson, in Council, passed the very Law, founded on that Proclamation and the Law of Jamaica, prohibiting the like conduct in future, and securing the rights of the Inhabitants to what they then held; he would have found that Colonel Laurie was an old resident on the Mosquito Shore, and possessed very considerable property before he was Superintendent, and that, at the time this Proclamation was issued, which he so roundly asserts was forwarded to him, he, Colonel Laurie, was not in the country, and that in the month of May, in the year, 1776, his Majesty honored him with the appointment of Superintendent, he being then in London; that he subsequently went to Jamaica, where, in August, in the same year (viz. 1776), Sir Basil Keith presented him with the necessary Commissions, and that on the 29th of that month he arrived at Black-River, on the Mosquito Shore, seven months after the issuing the Proclamation, and exactly seven days after Superintendent Fergusson in Council had passed the Act respecting the Indians, and which Act prescribed the Registry of every Indian, or descendant of Indian, Slave held there: had he, Colonel Arthur, then acted with that openness and candor so necessary, he would not have thus ignorantly or wilfully libelled the deceased Colonel Laurie, an Officer of high reputation, and declared of him an untruth, by saying "HE SHUFFLED OVER THE DIFFICULTY BY CALLING FOR A RETURN OF THE INDIAN SLAVES IN POSSESSION OF BRITISH SUBJECTS," whereas it was the very Act of the Legislature that called for it: this he well knew, for it was seen in those old Records that one of those Registers absolutely declares it is transmitted for recording "in consequence of the Act:" this his Commissioners insert, and singular it is too that he should thus have stigmatized Colonel Laurie by declaring "the Proclamation was forwarded to him, and that he shuffled over the difficulty," when in his letter alluded to, to Mr. Bullock,* he encloses him a copy of it from the Mosquito Shore Records, and it is headed "RECORDED BY ORDER OF JOHN FERGUSSON, ESQUIRE, SUPERINTENDENT OF THE MOSQUITO SHORE."

Superintendent Arthur also well knew, by the Report of his Commissioners laid before him, what Colonel Laurie did receive, for, in the Letter from Sir Basil Keith to him, Colonel Laurie, of date the 28th February, 1777 (and an extract of which is made by these Commissioners in their Report), he says, speaking of Indian Slaves, that the Island of Jamaica (which had been legislating on the same subject about the same time as Superintendent Fergusson and his Council did on the Mosquito Shore,)¹ had last Sessions laid the "axe

¹ For this Report see Appendix, No. 22.

² 17th Geo. III, cap. 28.

* See Appendix.

to the root of that Mischief, by passing a Law, a copy of which I enclose for your particular information and guidance."

Had Colonel Arthur been willing to know, he could have thus seen that Colonel Laurie received the Act of Jamaica, 17th Geo. III. and not the Proclamation, as asserted in his letter to Mr. Bullock, and which he states he shuffled over: he then would have saved his own honor in not libelling the dead, and misleading his superiors. Had he, Colonel Arthur, even looked into his own office, and had he not acted with glaring partiality, he would not have offered to the Attorney-General what could only deceive him, a circumstance beyond every thing exhibiting his ignorance or wilful deception. He states, "*Sir Basil Keith's Proclamation expressly interdicts any more Indians being shipped off from the Shore, and of course, without an infraction of that part of the Proclamation, they could not have been brought to Honduras;*" but we cannot but conclude that it must have been wilful, for will Superintendent Arthur presume to say he did not know of, and that there was, a Treaty entered into in the year 1786 between Great-Britain and Spain, in consequence of which the Mosquito Shore was evacuated, to the great injury and loss of the Inhabitants? Can he pretend to say he did not know that the measure was compulsory on the Inhabitants, and a breach of allegiance to refuse obedience, and that troops and ships of war were sent down from Jamaica to see the same fully carried into effect, and that it was more the result of force than compliance on the part of the Inhabitants?

The unfortunate Proprietors of these Indians or their descendants formed a part, and were compelled to leave their homes, where, if they were not affluent, they were at least comfortable and content, and were thrown on the then inhospitable shores of Honduras, without a home to fly to, and where they had to erect wretched huts for shelter, and suffered many cruel privations to obtain a scanty subsistence.

Can Colonel Arthur pretend to say he was ignorant that all the Inhabitants, and their Slaves, were brought away at the expense of Government to Honduras? or can it be possible to suppose that he did not consider that the Commissioners on that service knew many of those Slaves were the descendants of Indians, and that they must have been aware of the Act of Superintendent Fergusson in Council, forbidding the enslaving of Indians, and securing to the Proprietors the descendants that they then held? Could he have been ignorant that all came away under the guidance of Colonel Laurie, the Superintendent of the Mosquito-Shore, and were received at Honduras by Colonel Despard, his Majesty's Superintendent for that Settlement? It is impossible!! All must have been well known. This was an act not done in a corner: it was blazoned far and wide, and the distresses of the Inhabitants of the Mosquito Shore reached the ears of the British Parliament, when some trifling pecuniary allowance was granted.

¹ See Letter in Appendix.

Yet with all this knowledge that Colonel Arthur from his own office must have possessed, he misleads Mr. Bullock, directs his attention to a wrong view of the subject, and wisely observes that it was an infraction of the Proclamation to bring them to Honduras.

We shall make no farther comment: we shall leave it to an impartial public to judge of us, after the perusal of these details of this Officer, who has traduced and stigmatized us, and descended to the most dishonorable means to gain his own ends, by giving a false coloring to every circumstance, to raise his own reputation on the ruin of his fellow-creatures. Such was his religion! such his sanctity, assisted and supported by one of the most intolerable sycophants that ever supported oppression and tyranny! We mean his Secretary!!

We consider it necessary, although we have extended our defence to a considerable length, for our still farther justification to make some remarks on the Report of Colonel Arthur's Commissioners, and the manifest injustice done by them to us.

PART THE FIFTH.

THE REPORT OF COLONEL ARTHUR'S COMMISSIONERS CONSIDERED, AND THE ILLIBERAL AND UNJUST ASSERTIONS CONTAINED THEREIN CONTRADICTED, AND THE STATE OF THE MOSQUITO SHORE EXPLAINED.

BEFORE the Committee enter immediately upon the task of remarking on the Report of these Commissioners, so appointed by Superintendent Arthur, on Indian Affairs, they deem it proper to premise that Major-General Pye, who appears as President of that Board, having arrived in this Settlement only a few days previous to its assembling, could not be acquainted either with the local circumstances which occurred on the Mosquito Shore, or the Records of that Settlement: therefore he must entirely have placed his reliance on the information he received from the other Commissioners, and of which, from their long residence *here*, they could not but possess much knowledge, and quite sufficient to have placed this most important matter in a different view from that made by them, and now before the Imperial Parliament.

The Settlers are, therefore, from their knowledge of that highly respectable Officer, fully sensible that he never would have lent his name to such misrepresentations as appear throughout, had he been at all aware of them; but unfortunately he has been deceived, and his name appears to sanction the odium which has been unjustly cast upon us.

The Mosquito Shore is a Country of considerable extent, and inhabited by a race of Indians called by that name. It appears that the British Government originally held this Country in considerable estimation, not so much for the object of establishing a Colony, which, from the situation of its coast, would have been almost impossible; but the possession by the British had the effect of keeping, in time of war, a considerable Spanish military force in the interior to guard against any sudden attack which might be made by the British and the Mosquito Indians; whilst the Southern coast was well adapted to the establishment of depôts, in the event of Great-Britain attacking the Spanish Settlements in those parts: therefore the Government particularly enjoined all their Superintendents from time to time to cultivate such a union and friendship with these *Mosquito Indians* as to induce them to prefer his Majesty's alliance and protection to any other Power whatever.

We shall now take the Report paragraph by paragraph, and we trust from our local knowledge, from the evidence we have taken, and an intimate acquaintance with many of the Chiefs of these peo-

ple, as also from some of us having visited that Country, that we shall give a very different picture from what the Commissioners of Colonel Arthur have exhibited, and entirely remove the odium that has been so liberally cast upon the Inhabitants of that Country, and the Settlers here, who they have taken good care should also be part-takers.

The Commissioners commence by stating, "The establishment of the English on the Mosquito Shore appears to have taken place at an early period—first, by the Buccaneers, and afterwards by men employed in the contraband trade carried on between Jamaica and the Spanish Main; for we find that, as early as the year 1671, Sir Thomas Lynch, the Governor of Jamaica, transmitted to King Charles the Second, in consequence of his Majesty's Instructions, an account of the right by which his Majesty's Subjects were settled on the Mosquito Shore, and on the Coast of Yucatan, as appears by a Report made in the year 1717 by the Board of Trade and Plantations. That the English Settlers on the Mosquito Shore very early contracted an intimate acquaintance with the Mosquito Indians, at that time very populous, and of a warlike disposition: They boast of never having been conquered by the Spaniards, and their attachment to the English Nation has been carried so far by means of the English Settlers, that, under the Government of the Duke of Albemarle over Jamaica, they made a formal cession of their Territory to the King of England, and from that time it has been usual for their King or Chieftain to repair to Jamaica, to render homage at the hands of the Governor of that Island."

We shall dispute very little with them here; but shall merely assert that the trade was carried on between "not only Jamaica and the Spanish Main, but between Jamaica, North-America, and the Spanish Main." They next proceed to say, "that the Mosquito Indians are a barbarous and cruel people, and are in the lowest state of civilisation, and are under the most abject submission to their King and Chiefs, a state directly opposed to that of all the other Indian Nations."

This we contradict, and declare that the Mosquito Indians are a hardy, mild, and peaceful race, except when they are roused in defence of their Country's rights: they then assume a warlike attitude. They are, it is true, in a low state of civilisation, but more advanced than the neighbouring tribes; neither are they under that abject submission (as the Board of Commissioners represent) to their King and Chiefs: these they cheerfully obey when called upon in danger, and they chiefly live in large families, similar to the neighbouring tribes.

They next declare that "the Mosquito Indians pay considerable attention to the raising of cattle, while the other Indian Nations subsist by hunting. Differences so striking between Nations of the same Continent, and divided by no inaccessible barriers, have given

¹ See Report, Appendix, No. 21.

rise to a conjecture, by no means improbable, that their origin has been different; and that this conjecture is confirmed by a current tradition, prevalent among themselves and neighbours, that a ship, laden with Negroes from Africa, was at some very remote period wrecked on the Mosquito Shore; that these Negroes revolted; seized upon the male Inhabitants of the sea-coast, and massacred them."

Now we assert, from thorough knowledge, that the Mosquito Indians pay very little attention to the raising of cattle, and they possess but few. They chiefly subsist by fishing and hunting, similarly to the other Indian tribes, and their habits and customs are nearly the same. Tradition does say, that a ship from Africa, with Negroes, at some very remote period was wrecked on that coast; and it would appear, if so, that they must have intermixed with these Indians on the Western coast, which altered the race, inasmuch as their personal appearance indicates the mixture between Negro and Indian; but there is not any certain knowledge that the Negroes put the male Indians to death: that is merely founded on conjecture, and it is a thing impossible in itself from the immense extent of sea-coast possessed by the Mosquito Indians. The impossibility of this not being a fact is also clearly shewn by another circumstance, which is, that, on the Southern part of the Mosquito Shore, taking Cape Gracias à Dios as an intermediate boundary, these Indians are generally found of the olive color, and but few of the mixed race, as they are to the Westward of the Cape: consequently the Inhabitants of the sea-coast could not all have been massacred, for, as the Report reads, it would imply that the whole had been destroyed. A similar mixture to the Mosquito Indians is also found amongst the Poyais Indians: these cohabit and unite with the Mosquito Indians on this part of the coast.

The next paragraph in the Report of the Commissioners is certainly without exception unwarrantable; and most truly dishonorable.—They at once condemn the English Inhabitants of the Mosquito Shore as the most detestable of wretches! They work upon the feelings of their reader! They offer him "high probabilities." Such are their words, and then modestly descend and say, that they are not fully authorised by evidence to thus blast a highly respectable Colony, such as the Mosquito Shore was.

The conclusions, drawn by the Commissioners, in this paragraph are illiberal and most unjust; but we shall repeat their words—"They say the English Settlers on the Mosquito Shore employed the Mosquito Indians in fishing, collecting tortoiseshell, sarsaparilla, &c. &c. and paid them in Oznaburghs, knives, gunpowder, shot, iron pots, &c. It appears also that, when these Mosquito Indians had made inroads into the territories of their neighbours, and taken any of them prisoners, they found ready purchasers for them in the English, who paid for them in some trifling articles; and, indeed, it is highly probable that these poor, ignorant Indians were instigated by

their employers to make frequent incursions of this description, in order to kidnap and enslave the unhappy inhabitants of the interior, although the Board is not fully authorised by the evidence before them to conclude positively that such was the case. It is, however, certain that the number of Indians so obtained must have been considerable, if, as Mrs. Robinson says in her evidence, almost the whole of the labor of the Southern part of the Mosquito Shore was performed by Indian Slaves.

Such is the Commissioners' statement. We shall now make a much simpler, and, we trust it will be found, one far more correct and liberal.

The Indian Nations of the interior often made incursions on the Mosquito Nation, partly encouraged by the Spaniards, that are established at the head of several of the Rivers in that country. In these expeditions they generally were unsuccessful. The result was retaliation on the part of Mosquito Indians, who made war in their turn on these invaders, and, being better prepared, were generally successful: consequently prisoners were made, and, if females, they were treated with every kindness, and usually taken for their wives: others were disposed of to the English Settlers on that Coast, and from whom have sprung the great bulk of the Colored Free Population of this Settlement, many of whom are respectable, and all above want, which was a fact well known to the Commissioners, and also to Colonel Arthur; but no acts of cruelty have to our knowledge ever been established as having been exercised by the Mosquito Indians over these people, when they became their prisoners.

The English Settlers on the Mosquito Shore employed many of the Mosquito-men in fishing and hunting, and encouraged them in acts of industry in the collecting of tortoiseshell, sarsaparilla, and gums, &c. and for which they were paid in articles of necessity and ornament, suitable to their wants and condition; but it does not appear in evidence, taken before the Board of Commissioners, that these Mosquito Indians were either instigated by the English, or by their own restless disposition, to make inroads into the territories of their neighbours, for the purpose of kidnapping and enslaving the unhappy inhabitants of the interior; nor is there the least trace of any record, document, or even tradition, to warrant the Commissioners' declaration. Well, then, might the Commissioners say, that they are not fully authorised by the evidence before them to conclude positively that such was the case. The fact is, they had no evidence before them to warrant such an assertion; but it was necessary for the promoter of the investigation (if we are to judge from his letters to William Bullock, Esq. and to Earl Bathurst), that they should make out a strong case, and, if it could not be founded on evidence, to do it by assertion, so far as it had the effect of degrading the English Settlers on the Mosquito Shore. In this part of their Report they avail themselves of Mrs. Robinson's testimony, for, in adverting to it, they say, "It is, however, certain that the number of Indians

so obtained must have been considerable, if, as Mrs. Robinson says in her evidence, almost the whole of the labor of the Southern part of the Mosquito Shore was performed by the Indian Slaves."

The extent of the Southern part of the Mosquito Shore, taking Cape Gracias à Dios as the western boundary, will be found nearly 200 miles of sea-coast, and in depth from the sea about 100 miles.

From the Commissioners' Report the reader would conclude that in this extensive Country a large English Settlement must have been formed, as a large Indian population is said to have performed nearly the whole of the labor; and this is founded on the evidence of Mrs. Robinson, who never was on that part of the Coast, nor probably within 180 miles of the Cape, for she was born at Black-River, and remained there until the evacuation in 1787: consequently her evidence could only at best be *hearsay*; but, as it may carry with it great weight, she has been since re-examined on the subject, and her evidence is completely at variance with her former testimony, contains a clear explanation of how far her knowledge extended, and is in direct contradiction to the conclusions of the Commissioners: It also shews the general treatment of those Indian Slaves; but we shall insert her examination as follows:

EXAMINATION BEFORE THE MAGISTRATES OF HONDURAS, NOVEMBER 19TH, 1823.

CATHERINE ROBINSON *sworn*.

Q. In your evidence before the Commissioners on the 24th January, 1822, you state positively, "that almost the whole of the labor on the Southern part of the Mosquito Shore was executed by Indian Slaves?"

A. By my former testimony it appears I have spoken positively; now I must declare they misunderstood me entirely, as I never could have spoken positively to what I did not positively know; and, as I was never in the Southern part of the Shore, all I know about it was from hearsay, and I could not have so replied; and I never heard of any other labor being performed there by Indians but as domestic servants.

Q. Does it come within your own knowledge, that the Slaves, of Indian descent, on the Mosquito Shore were treated with kindness and humanity?

A. I ever heard so, and knew it was the case where I was myself, as I was born there, married there in the year 1775, and remained there until the evacuation in 1787.

Here also it may be well to offer some farther observations on the extent of the population in the Southern part of this Country, which does not appear at any period to have exceeded forty families, the majority of whom were of Color, the descendants of Indian Slaves, who claimed or owned the greater part of the Indians in question), and as to the labor performed by these Indians, which was of two

kinds : That done by the men was fishing, hunting, collecting sarsaparilla, and raising provisions for themselves and families, which in these Countries does not require much exertion; the females were employed in domestic services about the house; and those who were acquainted with that country know full well it was merely the shadow of service without the substance. In proof of this we annex the evidence of James Gladding and Dorinda Potts, and in doing so we cannot but again remark on the evidence of Dorinda Potts, as taken before the Commissioners, relative to Indians being smoked out of holes, and the use Col. Arthur has made of it : In his Letter to Lord Bathurst, 28th February, 1822, he says, " Your Lordship will observe that these poor Indians were hunted down in all quarters, and absolutely smoked out of holes and caves, in which they had taken refuge from their rapacious and merciless pursuers." Good God! that a man, apparently so just, so strenuous for right, should assert this; and say, moreover, that it was on the affidavit of the most respectable evidences, whereas he knew it was only two persons, viz. Dorinda Potts and one Negro woman, who had so declared: but we shall give the evidence on re-examination, and leave an impartial World to judge.

EXAMINATION BEFORE THE MAGISTRATES OF HONDURAS NOVEMBER, 20TH, 1823.

DORINDA POTTS, a *Buccatoro Indian, called and sworn.*

Q. It appears by the Report of certain Commissioners, appointed by Colonel Arthur, his Majesty's late Superintendent, to investigate the claims of Indians or their descendants to freedom, that you were examined on that matter on the 21st of January, 1822?

A. Yes.

Q. Was it from your own knowledge, that you stated before the Commissioners, in your evidence at that time, that the Indians were smoked out of the holes by the Mosquito Indians?

A. I do not know it from my own knowledge, but I merely heard so, that it once took place, and the circumstance attending it was this, that an English schooner had arrived on the Southern part of the Mosquito Shore, at a place named Cherokee Point, near a small Island, called Buccatoro; that some of the Indians came out, attacked the schooner, and killed all the people but one woman; that, when the old Mosquito Indian King Jeremy heard of it, he sent a large number of his people, and made war on those Indians, and beat them, and took a number prisoners, and killed all the men he could get, and saved the women and children. It was in taking these prisoners that I heard that the Mosquito Indians had smoked a number out of a cave that was in the Island. I never heard of it having occurred but once.

Q. How was the man Mercury, whom you have spoken of in your evidence, and who was then a boy, and who lately belonged to the estate of John Potts, but was left free by his Master, taken?

A. There is at the head of the Wanks River, on the Mosquito Shore,

a town called Megolpho, inhabited by Indians : These Indians came down from Megolpho to a town called La-Boo, inhabited by the Mosquito Indians, to fight them ; they did so and beat them, and drove them from La-Boo ; those that escaped went to complain to the Mosquito Indian Governor, who lived not far from there ; his name was Bedford ; that he directly fitted out a large party, who went up to Megolpho, fought the Indians there, beat them, took some prisoners, and amongst the number was Mercury, who was then a very little child, about three years old.

Q. Were the Indian Slaves, that were held by British subjects on the Mosquito Shore, used with any harshness or severity, or what labor did they generally perform ?

A. They were used very kindly, and the labor they performed was, that the men in general made provision-grounds, and the women spun cotton, and were household servants.

Q. Was there not a number of descendants of Indians on the Mosquito Shore, such as Mestees and others, who possessed considerable property in Indian Slaves ?

A. A great many, and among them there they lived an idle life ; and sometimes it could scarcely be told who was Master or who was Slave.

EXAMINATION BEFORE THE MAGISTRATES OF HONDURAS, NOVEMBER 21ST, 1823.

JAMES GLADDING sworn.

Q. As you were examined before the Commissioners appointed by Colonel Arthur, his Majesty's late Superintendent, to investigate the claims of Indians or their descendants to freedom, you can perhaps give the Magistrates some information relative to the Shore, where you lived many years ?

A. Yes.

Q. Pray, what do you consider was the number of White People living on the southern part of the Mosquito Shore, say from Cape Gracias à Dios southerly to River Metina, near to the River Saint Juan's ?

A. There were very few, not a dozen families.

Q. Were the Indian Slaves, that were held by British subjects on the Mosquito Shore, used with any harshness or severity, and what labor did they generally perform ?

A. They were very kindly treated, indeed, were like their children, and the labor usually performed was, the men cutting ground-provisions, and the women and children spinning, and they were used also as servants in the houses.

Q. How did the Mosquito Indians act toward the Indian Slaves they took ?

A. Very kindly, and they generally employed them in the same manner as the English.

Q. Were there not a great many families on the Southern part of the Mosquito Shore *Colored People*, such as Mestees and Mestifinas,

who were descendants of Indians themselves, and who held a considerable number of Indian Slaves as their property?

A. There were.

Q. How long did you live on the Mosquito Shore?

A. Twenty-eight years, and I left it at the evacuation in 1787.

Q. Were not the Mosquito Indians always considered as a kind and friendly people to the English?

A. They were always friendly to the English.

Q. Did you ever hear the Mosquito Indians were a barbarous or cruel people?

A. No: I never heard so, or ever knew them such, while I lived there.

Q. Were the Indian Slaves on the Mosquito Shore ever employed in cutting Mahogany?

A. No: The Mosquito Indians cut the Mahogany, which they brought down and sold to the English, who then employed their Negro Slaves to manufacture it.

We shall now again return to the Report. The Gentlemen who composed the Board of Commissioners should have possessed more candor in their Report, and availed themselves of documents not only to establish, but also to detail, the truth; but it appears too evident that they have compiled a mass of matter, manifestly intended to debase the former Inhabitants of the Mosquito Shore, and throw an odium on the possessors of the descendants of the Indians at present in Honduras, without adducing one solitary instance favorable to that class of Society.

The Commissioners in their Report next proceed to animadvert on the Act of the Legislature of Jamaica, passed in the year 1741, and they say, "It is highly probable that considerable numbers of these kidnapped Indians must have been sent to Jamaica by the English Settlers, for sale in that island, and which caused the Act of the Legislature of Jamaica, 14 Geo. II. cap 6, to be passed."

Without making farther comment on this part of the Report, we shall merely state, that their assertions as regards the Act are unfair and unfounded, as that Act was positively made to restrain the traffic on the Coast of Darien and San Blas, where the Traders from Jamaica carried on a considerable intercourse with these Indians, in mules, horses, and other commodities, which traffic was opposed to the interest of Spain.

We do not find that there were any direct complaints made by the Mosquito Indians of the kidnapping and carrying away of Indians from the countries contiguous to their own, until about the year 1773, when several of the Mosquito Chieftains went to London, to make their remonstrance and complaint of trading vessels from Jamaica and North-America coming on their Coasts, and obtaining native Indians, whom they carried away with them; nor are there any traces, by oral or documentary evidence, that the English Settlers on the Mosquito Shore bartered Indians with these Traders.

The result of this embassy of the Mosquito Chieftains to London, as we have before described, caused his Majesty's Government to di-

rect Sir Basil Keith, Governor of Jamaica, to take measures for the preventing of this traffic in future. Sir Basil Keith, in consequence thereof, sent down John Fergusson, Esq. with his Proclamation to that effect, and also appointed him Superintendent in that Settlement. Therefore it is evident that the Act of the Legislature of Jamaica, of the year 1741, was made without retrospect to the Mosquito Shore, as no measures were adopted by Sir Basil Keith until the year 1775, a period of thirty-four years, subsequent to the passing of the Act of 1741: therefore the assertions of the Commissioners on this important point, as well as all others, are merely the effect of imagination, and not of fact.

The Commissioners then proceed to state, that on the 28th of February, 1777, Sir Basil Keith wrote to Captain Laurie as follows: "As you will be answerable to the Ministry for your conduct on the Shore, it behoves you to prevent the perpetration of such horrid murders as have been committed by the Mosquito men on the Wolwa Indians, and you ought to exert yourself to bring the offenders to justice, and thereby shew the several Indian Nations on the Shore in what abhorrence the English hold such villains, and how ready they are to punish them, and protect those who are peaceable and friendly to us." There are not any traces to be found on the Records of the Mosquito Shore of the cause of this outrage; neither could it at that time have originated in any undue traffic of Indians, as, since the Proclamation of 1776, there is not any proof that the practice had existed, or of any complaint made of the English Settlers on the Shore; but it is a well-known fact, that the Wolwa Indians were the enemies of the Mosquito Indians, and in alliance with the Spaniards, and it is not improbable that at this time they might have been instigated by the Spaniards to attack the Mosquito men, as it is well known that the Spaniards became the determined enemies of the Mosquito Indians, in consequence of the latter allowing the English to settle in their Country, and forming an alliance with them; and farther it is right to notice, that the extract made by the Commissioners is not correct. They say, *on the Wolwa Indians*. On reference to the Record, the words are "on *three* Wolwa Indians," a wonderful difference! The extirpation of a whole Nation might be inferred from this paragraph, instead of three individuals; a quotation strikingly calculated to impress on the minds of his Majesty's Ministers, the cruelty and injustice exercised by the English Settlers on the Mosquito Shore in the continuance of the iniquitous traffic.

The savage Nations of America have equally a disposition for war as the more polished Nations of Europe. The Wolwa Nation, in amity with their neighbours the Spaniards, were full five hundred miles from the Seat of the British Government established at Black-River, and in a Country without roads, without troops, or even a vessel of war. How was it possible for Superintendent Laurie to prevent acts of atrocity being committed amongst hostile savage tribes, when probably he might remain ignorant of the circumstance a whole year, as it seldom occurred that any communication was

reade to Black-River from that part of the Coast, and between the two extremes the whole Country was nearly a wilderness. And here we must again remark that the Superintendent had no control over the Mosquito Indians, except that of remonstrating, which was never omitted by him when necessary; nor was it possible for him to know when trading vessels were on that part of the Coast, as few of them went so far to leeward as Black-River. It is also more reasonable to conclude that the Governor of Jamaica would have much earlier and better information from that part of the Coast, being to windward of Black-River, than that which it was possible for the Superintendent to obtain; and it is not improbable that the Traders from Jamaica at that time might have caused such information to have been made to the Governor. It is, moreover, certain that the Settlers on the Shore never cloaked themselves under this Act of 1741; and it is equally so that Superintendent Arthur excited in the present Proprietors of these people alarm, as, by holding these Indians or their descendants in Slavery, they would be made liable for the penalty recited in that Act; but they supposed, and that with great truth, that a similar Act to the one of Jamaica must have been passed on the Mosquito Shore, and their supposition has since been fully realized. Colonel Arthur, who often examined these Records, could hardly be ignorant of its existence; but on this we have already had occasion strongly to animadvert.

The next object that draws our attention is, that "the Board beg leave to observe that they have found in the Mosquito Shore Records a partial and imperfect Registry of Indians, held in Slavery in that Country, made in the year 1777; but, though they have perused with the greatest attention the instructions of Sir Basil Keith to John Fergusson, Esq. in sending him to the Shore as Superintendent, Sir Basil Keith's Letter to the Council at Black-River, dated the 29th December, 1775, and the Letter from that Board in answer thereto, together with their Minutes from their first formation to the evacuation of the Shore, so far at least as those Minutes have been preserved on the Records, yet they have not been able to discover the least intimation by which they might judge in whom, and by whose authority, that measure originated."

From this quotation from the Report of the Commissioners, it would appear that they employed themselves more for the object of criminating the Settlers of the Mosquito Shore than for the substantial ends of justice, or why make such an assertion? Had they any evidence before them to establish that it was not a true and faithful Registry? Or that they were not enabled to find out in whom, or by whose authority, the measure of holding Indians in Slavery originated. Did these Commissioners examine Colonel Arthur on oath, or their own Clerk, who was also Assistant Keeper of the Records, or even the late Major Coatquelin, one of their Board, as to the existence of documents, by which the Inhabitants held the descendants of these Indians in Slavery? They did not! Had they done so, it is probable they would have ascertained the existence of the

Act of the Superintendent in Council, passed the 22d day of August, 1776. That a document of such vast importance was not to be found is most singular! and stranger to say, that a few months afterwards, when a search was made for the existence of any such document, it was the first Record discovered! Shall we be satisfied then to hear it said it could not be found, or that justice has been impartially done to the Proprietors?—We cannot! but it might be said that Colonel Arthur, from his situation as Superintendent, could not be called upon. In the 4th Article of his Instructions it is said—

“You are hereby empowered and invested with authority to call upon the Public Officers, and all other Individuals, in the Settlement, for full and satisfactory explanation, on examination of all Papers, Records, or Documents, of whatever denomination, connected with the subject of your Commission; and all such persons are hereby enjoined and required to afford all possible information, and to *answer on oath* such interrogations as the Commissioners may deem it necessary to put.” Therefore, had these three individuals been examined, it is probable that the labors of the Commissioners would have become a nullity, and the Owners of these people been freed from persecution.

These Commissioners had the power of investigating on oath! That this Act was a Record in the Record-Office of Honduras, and then existed in these very Records, is most certain!! They had the power of examining; and, if any undue measures had been adopted, they were invested with sufficient power to sift out the truth; and they would then have proved to the World that their deliberations were founded on British Justice.

Thus have we endeavoured, as succinctly as circumstances would admit, to follow Colonel Arthur through a series of charges, most artful and intricate in their combination. With talents worthy of a better cause, our Traducer has clothed his assertions in so specious a form, that, whilst they are eminently calculated to mislead the mind, it is most difficult to unravel their intricacy, or expose their falsehood. We possess one advantage, however, over the more labored composition of our Antagonist, that this simple detail of the oppression we have suffered, and the grievances we have endured, contains no violation of truths, no exaggeration of circumstances, no transmutation of facts! As the general feeling and indignant voice of an injured and insulted People, we give it to the candor of our Countrymen, and trust we shall stand acquitted before them and the World of the disgraceful charges which have been preferred against us!

APPENDIX.

A.

Extract of a Letter from Lieutenant-Colonel Arthur to the Right Hon. Earl Bathurst, dated October 7th, 1820.

In the Dispatches, which I had the honor to address to your Lordship shortly after my arrival in this Settlement, it afforded me the greatest pleasure to bear testimony to the humanity, which I observed generally exercised by the Wood-cutters towards their Slaves.

On the necessity I was under, however, in my Dispatch of the 21st October, 1816, of detailing to your Lordship the Cruelty which has been exercised by a Settler named Michael Carty, I was called upon to make some observations upon the extreme inhumanity of many of the lower class of Settlers residing in the Town of Belize towards their Slaves; and, as it appeared to be an evil greatly increasing, I submitted at the same time the total inadequacy of the Courts of this Settlement to check this vicious disposition.

In my Report to your Lordship, of the 16th May last, No. 27, upon the insurrection which had taken place in the interior of the Colony, I represented that it had originated from the harshness with which some of the Slaves had been treated, and that I was not without hope the consequences on that occasion would have had the beneficial tendency of exciting a greater degree of humanity towards these unfortunate people: I am much distressed, my Lord, that my expectations have not been answered; and such is the increasing severity and cruelty which is now practised with impunity, that although I am very conscious of the difficulty, which has hitherto presented itself to his Majesty's Government, upon the general question of the administration of justice in Honduras, I am most reluctantly constrained to bring the subject again under your Lordship's consideration. The result of a trial, which was instituted on the 6th inst. against an inhabitant for excessive cruelty towards a poor Slave, absolutely excludes every hope, under the present system of jurisprudence, of bringing offenders to punishment when guilty of the most flagrant acts of inhumanity and oppression. The trial to which I allude was instituted against a free woman of color, named Duncanette Campbell, under a bench-warrant, "for punishing her Slave named Kitty in an illegal, cruel, and severe manner, by chaining her and repeatedly whipping her, and for confining her for a considerable time in the said chains in the loft of her house."

As the sufferings of this poor Slave deeply excited my commiseration, I made it a point to attend the Court: The female Slave appeared covered with wounds and stripes. The Medical Gentleman, who had examined her by order of the Magistrates as soon as she was taken into custody, deposed: "I examined the Slave Kitty, and observed the scores of several wounds, which appeared to have been recently inflicted with a whip or cowskin; they were chiefly upon the shoulders, but there was also a considerable number on the left arm, the neck, and face; those on the face had produced considerable swelling and other symptoms of inflammation; one of the stripes had divided the ala of the left ear; another had wounded the left

eye-ball; both eyes were much swelled and inflamed, and her whole countenance was so much disfigured that it was some time before I could recognize her." The Police-Officer deposed, "On proceeding to the dwelling of Miss Duncanette Campbell, I found the slave Kitty at the foot of a bed, with a pair of handcuffs on, and chained round the legs with a double padlock; the chain was bound round so close that she could not stand or move. I saw a cut upon the left ear, and many stripes upon the back: her face also bore visible marks of whipping, and there was a bruise under her eye. I tried to lift her up, but she could not stand; she informed me that she had been in this situation for six weeks." In fact every charge stated in the warrant was most fully proved.

To deny the punishment which had been so cruelly inflicted was of course impossible; and therefore the only defence which the prisoner attempted to set up was, that the Gentleman, with whom she had cohabited and lived for many years, had instigated the Slave to neglect her business, disobey her orders, and to behave with the greatest insubordination; that the Slave was her own property, and that therefore she had a right to punish her as she thought proper. The prisoner admitted, indeed voluntarily bore testimony to, the uniform excellent conduct of the poor Slave for many years, and stated that the circumstance, for which she had now chastised her, was the only misconduct of which she had ever been guilty.

The Bench, which was composed of four Magistrates, in charging the Jury, in no way whatever adverted to the dreadful instrument with which the punishment had been inflicted; to the poor Slave's ear having been cut through; to the frightful blows on her face, or to the confinement in chains (every part of which is illegal by the Consolidated Slave Act in Jamaica, which is by the Law professed to be acknowledged in the Courts of this Settlement, although the Act is not in the Country), but briefly observed, that by Law every Owner was justified in punishing to the extent of 39 lashes; and therefore the only point for the consideration of the Jury was, Whether a greater number of lashes had been inflicted in the present case? Without five minutes' hesitation the prisoner was acquitted!!

B.

Extract of a Letter from Colonel Arthur to the Earl Bathurst, K. G. dated Honduras, 28th September, 1821.

On the 11th inst. I received the enclosed Report, No. 1, from the Officer of Police, stating the illegal punishment he had been required by Mr. Bowen, a Magistrate, to inflict on one of his Slaves; and also detailing a most severe punishment which he had in part carried into effect at the instance of the Bench, but with the farther execution of which he hesitated to proceed, as it appeared to him contrary to Law. Immediately on receiving this information I addressed the Magistrates, informing them I was sorry to find, on a bare commitment, without any trial or evidence whatever, a very severe punishment had been ordered on four Slaves, and, intimating it was unknown to me that any power was vested in the Bench to cause punishment to be so summarily inflicted, I requested some explanation on the subject.

In their reply the Bench endeavoured to gloss over the matter as well as they could, setting forth that the trial of Slaves by Jury was a heavy expense to the Country; that they had acted with no intention of infringing the Laws of the Settlement, or the rights of the Slaves; that under a heavy

penalty, whether competent or not, they were obliged to act as Magistrates, and consequently, their Fellow-Settlers always viewed their conduct, when not strictly regular, with every indulgence.

Although their proceeding was in direct violation of the Law, I animadverted upon it in milder terms than I should otherwise have been disposed to have done, from the impression that two of the Magistrates (it being their first year in office) might have acted without consideration, under the influence of Mr. Bowen, who, as an older Magistrate, was well acquainted with the laws and customs of the Court; and to whom, from his well-known character, I could have no hesitation in referring the whole matter, although it was difficult in such a case officially to attach the blame where I felt it ought to have rested: I did so, however, as far as I could with propriety, and also directed all the poor Slaves to be instantly liberated and delivered up to their respective Owners.

In the course of investigating this flagrant attempt upon the rights of the Slaves, I was led to the knowledge of Mr. Bowen having confined the poor Slave in chains in his own premises, whom the Police-Officer had refused to place in that situation in the Jail; and an affidavit made before one of the Magistrates of his general cruelty and inhumanity was at the same time laid before me. Having fully ascertained the unexceptionable character of the complainant, and made every investigation which prudence could suggest, I determined to issue a search-warrant, and your Lordship will perceive, by the return of the Officer of Police on the back of the warrant, that the Slaves were found chained in the manner described in the affidavit.

The warrant having been examined on the following morning by the Bench, Mr. Bowen was ordered for trial on the 25th inst.; but I must here observe, that although the evidence on the examination was most clear and distinct, the majority of the three Magistrates deemed it so very doubtful whether the offence could be considered a breach of any Law, or whether there had been any farther punishment inflicted by Mr. Bowen than an Owner was justified in giving his Slave, that they were much disposed to question the propriety of any prosecution: This, of course, convinced me of the feeling and disposition of the Bench.

In order that I might be under no error from misrepresentation, I attended the trial, and the following circumstances were most clearly and distinctly proved, indeed not denied; that on the bare suspicion of having made away with some handkerchiefs, committed to her care to dispose of, a poor female Slave was tied up by order of her Owner and severely flogged, and then handcuffed and shackled, placed in an old store, infested with vermin and the noisome flies of this country; after being in this situation for five days and nights, Sergeant Rush, a military pensioner, interceded with Mr. Bowen for her release, and having pledged himself, if the handkerchiefs were not found, to pay the exorbitant sum demanded, the poor creature was liberated on Sunday about mid-day; on the following morning she left her Owner's house to make her complaint and seek redress. For this, and no other grounds whatever, she was again seized upon, tied down on her belly to the ground, her arms and legs being stretched out, and secured to four stakes with sharp cords, and in this shocking attitude, in the heat of the sun, exposed before the men in a perfect state of nature, she was again severely flogged, in presence of her inhuman Master and his brother, upon her back and posteriors, and then sent back to her place of torment, and there, again confined in handcuffs and chains, subsisted on the wretched pittance of twenty plantains and two mackarel per week for above fourteen days. Occasionally, indeed, it appeared, the miserable being was led out by day, and chained to a tree in the yard, and there compelled to

wash.—This, my Lord, was an offence, for which the Magistrates could find no Law on which to charge the Jury, nor the Jury any against which to find the prisoner guilty! Most truly, indeed, was it observed by the Advocate, in open Court, that if they rejected the Consolidated Slave Law of Jamaica, which by custom and usage had been considered for years as the Law of the Settlement, he shuddered to remind them that there was the 21st Act of Geo. III. chap. 67, which protected even brutes from inhumanity.

The case of the male Slaves actually apprehended by the Officer of Police, handcuffed, shackled, and loaded with an enormous cattle-chain, in the very dwelling of this Magistrate, I need not in this Dispatch enlarge upon. If the enormity against the poor female was no violation of the Law, this of course could not be deemed illegal.

The Slaves in this country have, for some time past, appeared to require no incentive to agitate their already irritated minds; and therefore to quiet in some degree the alarm, which will no doubt quickly spread amongst them, of their being thus deprived of all protection, I have, after assembling the Members of the Supreme Court as a Council, this day issued a Proclamation in his Majesty's name, declaring the Consolidated Slave Law of Jamaica to be in force until others are enacted, copy of which, with my Letter to the Magistrates, I beg to submit, and of which I trust your Lordship will approve. The measure will no doubt be offensive enough to Mr. Bowen and his partisans, and to many others, who have always manifested the most violent opposition to any interference with the dealings of Owners with their Slaves; but I regard them with indifference in comparison to the manifest injustice and cruelty of abandoning all the Slaves to the mercy of their Proprietors, although I still hope there are many who treat them with all the kindness and humanity, consistent with their state of bondage.

Enclosure, No. 1, in Colonel Arthur's of 28th September, 1821.

Belize, Honduras, 11th September, 1821.

SIR,

I beg leave to acquaint you that on the 4th inst. it was reported to me that M. W. Bowen, Esq. a Magistrate, had sent a Slave of his, by the name of Guy, to the common jail, with orders to the Constable that he, Guy, should be worked on the public works with the convicts in chains. Conceiving that the order was irregular, coming from only one Magistrate, and he being the Proprietor of the Slave, I gave direction to the Constable not to pay any attention to the order until I saw the Gentleman myself, it being my intention to state my reason for not complying with his order; but, being unfortunately unwell, I did not see him until the 10th inst. when a Meeting of the Magistrates took place at the Court-House, where, in the presence of two other Magistrates, M. W. Bowen, Esq. told me that he had taken his slave out of jail, in consequence of directions given by me for his not being worked in chains on the public works. Upon my replying to him that, without the sanction of the Bench, I did not think myself authorized to punish a Slave in that manner at the instance of his Master, he said that he conceived that an order from any Magistrate was sufficient authority for me. To this the other two Magistrates made no kind of observation, and consequently I am left in the very delicate situation of questioning the orders of a Magistrate, or violating what I conceive to be the Laws of the Settlement.

I beg also to state that four runaway Slaves were delivered into the charge of the Constable on the 3d inst. two of which, named Hero and Marriott, belong to the estate of the late S. Burnham, John, to George and James

Hyde, and Glasgow, to Mr. John Young. The three former were brought from the Northward by some Spaniards: the latter was delivered by Mr. Harrison, a clerk to Messrs. Young and Wright, requesting that he might be kept in jail until Mr. Wright came down the River: That on the 5th inst. they were brought by an order of the Magistrates before the Bench, and, without any trial whatever, they (the four) were ordered to be imprisoned and worked in chains on the public works for two months, and to receive a corporal punishment of 128 lashes each, at four separate times, a part of which sentence has been carried into execution; but I feel so uncomfortable in proceeding with the farther punishment of those people, under the impression that they have not been regularly tried, that I must beg with great submission to bring this representation under your consideration.

I have the honour to be,

Sir,

Your most obedient and humble servant,

WILLIAM S. EVE, *Officer of Police.*

To Colonel ARTHUR, *his Majesty's*
Superintendent, Honduras.

C.

Enclosure in Colonel Arthur's, 28th September, 1821, to Lord Bathurst.
Government-House, Belize, 28th September, 1821.

GENTLEMEN,

I enclose, for your information, his Majesty's Proclamation of this date, by which you will observe that the Consolidated Slave Law of Jamaica, of which Honduras is a dependency, is declared to be in force in this Settlement until other laws shall be enacted, and I have accordingly to require you will be guided thereby in all proceedings in your Court until his Majesty's farther pleasure herein is duly promulgated.

I am deeply grieved that the influence of a few ill-disposed persons should compel me thus publicly, by Proclamation, to cast the disgraceful imputation upon this community, that it has hitherto left the Slave Population wholly unprotected by law, and that every punishment, which has been inflicted upon the Slaves by the Bench, either by trial or otherwise, has been altogether illegal; for if by custom and usage the Slave Law of Jamaica has not been considered in force here, as far as it would apply to the local circumstances of the country, then there has been no law, and, if it has been so recognized, the Bench, in declining the admission of the 25th and 29th Articles of that Law, on the recent trial of Mr. Bowen, has violated the sacred obligation, by which every Magistrate is bound on his admission into office.

Is it, Gentlemen, to be tolerated that an inhuman and exasperated Proprietor has the power to cause a wretched female to be laid prostrate on the ground in a state of nature, having her arms and legs extended by cords to four stakes, and after being thus, in the presence of men, severely lashed over the back and buttocks in the burning heat of the sun, in a tropical climate, placed in confinement, handcuffed and chained, tormented by flies and vermin, and fed upon the miserable pittance of two mackarel and twenty plantains per week, and shall it be said there is no law in a British Colony to punish such inhumanity? Is this an offence of so light a nature that one of your body thought it scarcely worthy of notice, and would not proceed even to the trial of it without my interference? Our Sovereign and our country, believe me, will think very differently!

I have only in conclusion to observe, that eight days have now elapsed

since I transmitted to the Bench the petition of a poor family, who have been in Slavery illegally for fifty years. You have, Gentlemen, before you the original manumission of this family. You have also on the public books of the country in your Court-House this deed duly entered and recorded, and surely you will no longer defer to assert the claim of these people to their freedom, and place them in a condition to establish the same before a Jury.

I have the honor to be, Gentlemen,
Your most obedient humble servant,
(Signed) GEO. ARTHUR, Colonel, Superintendent
and Commandant.

The Magistrates, &c. &c. &c.

Enclosure, No. 5, in Colonel Arthur's Letter, 28th September, 1821.
HONDURAS, &c.

BY THE KING.—A PROCLAMATION.

(SEAL.)

Whereas it has appeared to us on an occasion of a late trial at a Special Court, held at Belize-River's Mouth on the 25th inst. that doubts have arisen in the minds of several of our Subjects settled in Honduras, whether an Act of the Legislature of our island of Jamaica, commonly called "the Consolidated Slave Law," is considered in force in our Settlement of Honduras: And whereas there are no other laws whatever for the protection of the Slave Population known or promulgated in our said Settlement, and deeming it to be absolutely necessary that the Slaves should not be deprived of that protection which humanity dictates, and the very existence of the country demands, We, by and with the advice of the Commissioners of our Supreme Court, now at Belize as a Council assembled, have issued this our Royal Proclamation, commanding that the Consolidated Slave Law now in force in our island of Jamaica, of which Honduras is a dependency, shall be the Law of our Settlement of Honduras, until other laws approved by us, or by any having authority from us, shall be enacted for the protection of the Slave Population.

Witness George Arthur, Esquire, Colonel, commanding our Troops in the Bay of Honduras, first Commissioner of our Supreme Court, and Superintendent in and over our Subjects settled at Honduras, this twenty-eighth day of September, *Année Domini* one thousand eight hundred and twenty-one, and in the second year of our reign.

(Signed) GEO. ARTHUR.
By command, (Signed) B. WILLIS, Secretary.

GOD SAVE THE KING.

D.

Extract of a Letter from Colonel Arthur to Earl Bathurst, K. G., dated Honduras, 10th January, 1822.

I did myself the honor to report to your Lordship, in my dispatch of the 28th September last, the circumstances under which I had felt myself called upon to enforce by Proclamation the Consolidated Slave Law of Jamaica, as far as it would apply in this Settlement, for the protection of the Slave Population.

Although my dispatches will have apprised your Lordship I had ascertained beyond all doubt that, in many cases, the Slaves were severely oppressed, I had certainly hitherto formed no just idea of the extent of their

grievances. Encouraged by the Proclamation (of the force and intent of which they appeared to form at the moment an erroneous notion), the numbers who came forward in a few days filled me with no less astonishment, than the fraud and injustice which had so long been secretly practised towards them. Many of the representations I could well suppose were unfounded, and others exaggerated; but those which bore the stamp and character of plain truth, were still sufficient to create alarm for the consequences of so much just excitement.

The greater body of petitioners represented themselves to be native Indians, or the descendants of Indians, and supplicated for my protection on the grounds of their having been brought from the Mosquito Shore, and for many years illegally held in Slavery by the Wood-cutters. On investigation I found that their claim had been set up at sundry times many years ago, and, its validity being denied by the Bench and Juries, the poor Indians had since patiently submitted to a yoke they were unable to cast off.

The general history of this Continent, and the principles which his Majesty's Government has invariably observed towards its native inhabitants, left no doubt on my mind that the pretensions of these claimants were founded no less in justice than in law; but as in a confined community, such as this, the interest of one is the interest of all, and, as the question of right had been positively negatived by the Court, I considered it would be advisable to suspend any measures until I had referred the point for the advice of some competent professional Gentleman. Submitting, therefore, the case of the Indians for the opinion of his Majesty's Attorney-General at Jamaica, I determined in the mean time that the issue of one or two of those suits should be tried, which related to the freedom of whole families of African Negroes.

After considerable hesitation and delay the Bench consented that writs of replevin should be issued to the descendants of two Slaves, named "Rhode-Island" and "Phillis," who claimed their freedom by virtue of the manumission of their Master, Mr. Cahoon, who died in the year 1768; but as bonds, amounting to the enormous Sum of 4000*l.* were necessary to be entered into before the writs could be taken up, a difficulty still presented itself, which would have been insurmountable to these poor people without my assistance. The bonds, however, being executed, the case came on at the October Grand Court, and by the verdict of a Jury a family of eighteen poor creatures, who had been unjustly held in Slavery for fifty-three years, were set at liberty. The Slavery of this family was mainly insisted upon by Mr. Bowen, who held six of them in servitude, and whose inhuman conduct formed the subject of my last dispatch.

The second case which came on was unsuccessful, although the grounds were the same with those which had been favorably disposed of only the day before. At this trial no less than three of the Magistrates left their seats as parties interested to defend the suit against the Slaves; but, notwithstanding the effect of this (which your Lordship may well conceive in such a community), the first Jury sat the day and night without agreeing in a verdict, and it was not until a new trial with another Jury was ordered that the Slaves were consulted.

The result of this trial, and the evident spirit of opposition to the poor Slaves, determined me never again to seek redress for them in the Court as it is at present constituted; and, on receiving, therefore, the opinion of his Majesty's Attorney-General respecting the poor Indians, it became necessary to resort to other means, and I trust the plan to which I have had recourse will meet your Lordship's approbation.

On the 31st ult. I assembled the Commissioners of the Supreme Court and the Magistrates, with the principal Inhabitants (all being parties concerned), at the Government-House, and, having laid before them the opi-

nion of his Majesty's Attorney-General, that it was illegal to hold the Indians or their descendants in Slavery, and having read to them the extract of the Consolidated Slave Law upon the Subject, I proposed the appointment of Commissioners to investigate into the descent of the reputed Indians, who should also award fair and reasonable reparation to such as had been illegally held in slavery.

Conviction of the injury done these wretched people, and alarm for the consequences of a criminal prosecution, whilst the opinion of the Attorney-General left no room to doubt the issue before any Court, which might be established by his Majesty, led the Meeting to close immediately with my proposition, and I now do myself the honor to lay before your Lordship my Proclamation, asserting the right of all Indians and their descendants to their freedom, with copies of my letter to the Magistrates, and the warrant by which the Commission is constituted.

Having first proposed the measure to the principal Wood-cutters and Inhabitants, and leaving it now optional on either side, after the descent is proved, to submit to the award of the Commissioners, or abide the consequences, I hope your Lordship will not consider that I have acted arbitrarily in thus indirectly taking the matter out of the hands of the Magistrates; and, if I have rather exceeded the restricted limits of my authority as Superintendent by this interference, I must rest my excuse in the great necessity of doing justice to so many poor, oppressed, and much-injured people. The descent of these Indians, in many cases, can alone be established by the evidence of *very aged* people: consequently the delay of only a few months, in appealing to your Lordship, might have irrecoverably fixed many in Slavery for ever!

Major-General Pye, having just arrived from Jamaica, attended the meeting on the 31st ult. and has kindly offered me the benefit of his rank and experience by acting as President of the Commission, and, as the cases appear generally to be exceedingly clear, the labors of the Commissioners will not, I trust, be of long duration.

E.

Copy of a Letter from Colonel Arthur to the Earl Bathurst, K. G., dated 22d February, 1822.

*Government-House, Belisc, Honduras,
22d February, 1822.*

MY LORD,

I have the honor to report to your Lordship that at the close of the poll on the 31st of December last, for the election of seven Magistrates to serve for the year 1822, Mr. Manfield William Bowen, whose character and conduct I have so frequently been under the painful necessity of bringing under your Lordship's notice, was of the number returned; and on the Provost-Marshal-General's waiting upon me, agreeable to use, with the return of the poll for my approval or disapproval, I objected to his person.

As Mr. Bowen, I understand, petitions, through some Solicitor in London, your Lordship for redress, I beg, by submitting a copy of my letter to the Magistrates at the moment of his disqualification, with copies annexed of the documents to which that letter refers, to place your Lordship in the full possession of the circumstances which have governed my conduct towards this individual; and to those documents I would earnestly beg to draw your Lordship's particular attention, as an additional evidence of the total and absolute impossibility of protecting the Slave Population under the present system of jurisprudence in the colony.

My avowed motive for dissenting to the return of Mr. Bowen was to pa-

ralyse the capacity of a person so disposed to treat the Slave Population with severity and cruelty, and how far subsequent events have confirmed the necessity of such a measure your Lordship will judge on the perusal of the accompanying examination, taken on oath before the Commissioners appointed to investigate into the claims of reputed Indians.

The flagrant conduct of Mr. Bowen and Clarissa Paslow towards the poor female Indian, whose complaint forms the matter of examination; and who is held in Slavery by Clarissa Paslow, it is impossible to pass over, and no less impossible to punish in this country; and I therefore beg to submit the case to your Lordship's consideration and judgment.

I have, &c.

(Signed)

GEO. ARTHUR.

P. S. In the body of my dispatch I have already entreated your Lordship's attention to the enclosures. In my letter of the 24th of October, your Lordship will observe that I called most earnestly upon the Magistrates to interfere in behalf of the Slaves under the management of Dr. Bowen. My intercession has been totally disregarded, and it is now reported to me that a large body of these Slaves have taken to the woods.

G. A.

The Right Hon. Earl Bathurst, &c. &c. &c.

F.

Extract from the Minutes of the Proceedings of the Inhabitants, in Public Meeting assembled, Monday the 3d July, 1815, wherein they passed a vote, discontinuing their Agent in Britain.

Resolved, That in consequence of the communication made this day to the Public by Major George Arthur, his Majesty's Superintendent, in future the office of Agent for the Public of Honduras be done away, and it is hereby annulled accordingly; and that all representations, deemed necessary to be made to his Majesty's Government in future, shall be through the medium of his Majesty's Superintendent.

G.

Extract of a Letter from Lieutenant-Colonel Arthur to the Earl Bathurst, K.G., dated Honduras, 5th March, 1822, enclosing copies of Addresses to him.

On the arrival of Major-General Pye in December last, before the offensive matter of the Indians was investigated, and when it was supposed I was on the eve of my departure for England, the accompanying Addresses from the Inhabitants were presented to me through the Magistrates; being some of those very individuals who are now most angry and most violent.

The sentiments conveyed in the Address of the White Inhabitants, when compared with the present feeling, is no feeble confirmation [of the account] of the vacillating disposition which I have always given of the public; and, although, indeed, I was well aware that it did not speak the real sentiments of many, such testimony, as to the line of proceeding by which I have uniformly been guided, is perhaps the strongest I could possibly lay before your Lordship, and may help by comparison to illustrate any obscurity in the representations which now may go forth.

The Address of the Free People of Color comprehends, I believe, without exception, the name of every Male Inhabitant of that class of any reputation in the Colony, and, although its language is less ardent, it is infinitely more acceptable to me, being founded in the sincere respect and gratitude

of those unfortunate people, who have been rather the objects of suspicion and dread in every other colony.

No. I.

Extract from the Minutes of the Proceedings of a General Meeting of the Inhabitants, held at the Court-House, Belize, in Honduras, on Monday the 19th day of November, 1821.

Colonel Arthur observed, "From the agitation which has been already excited, not only various petitions are now before me from African Negroes, but a large body of persons have remonstrated upon their being, as descendants of Native Indians, illegally and unjustly held in Slavery. By firm and prudent measures on your part this day, in disposing of the Resolution to which I have adverted, some confidence I trust will be restored in the Slave Population, and time thereby afforded for a dispassionate consideration of the case of the Indians.

"My wish is to decline giving any opinion whatever at present upon the merits of the petition of the Indians. Many individuals, I can well believe, who are represented to hold them, have been unconscious of their descent; and whilst, therefore, I desire to afford relief to the complainants, I would on no account be hurried into the smallest act of injustice. The plan I propose pursuing is (and I hope it will satisfy all parties) to call upon a Committee of the most intelligent persons concerned to state the grounds, on which they defend their right to the servitude of these people, and then to transmit the same, with the petitions, to his Majesty's Government for instructions upon the several questions."

No. II.

At a Meeting, assembled at the Government-House, Belize, in Honduras, Monday the 31st of December, 1821:

Present:—His Majesty's Superintendent, Major General Pye, the Judges of the Supreme Court, the Magistrates of the Settlement, the Reverend John Armstrong, the principal Officers of the Garrison, the Field-Officers of the Prince Regent's Royal Honduras Militia, the Secretary and Assistant Secretary of his Majesty's Superintendent, the King's Advocate, *v.r.* the Keeper of Public Records, *v.r.* the Provost-Marshal-General, the Officer of Police, the Crown-Surveyor, the Paymaster of the Prince Regent's Royal Honduras Militia:—

His Majesty's Superintendent addressed the Meeting on the subject of the Indians as follows:

"At the opening of the late Public Meeting, Gentlemen, I alluded to the state of Slavery, in which several Indians and their descendants were held by some of the Inhabitants of this Settlement; and I also suggested measures which I proposed adopting upon the subject, trusting it would have met with general approbation.

"The circumstance, however, passed without the smallest attention, and I am left in ignorance, to the present moment, whether the proposition was satisfactory, or otherwise, to the community.

"The Pompey having, since the Public Meeting, presented me with an opportunity of referring the case for the opinion of the Attorney-General at Jamaica, I shall beg to read to you the answer I received from William Bullock, Esq."

King's House, Jamaica, 12th December, 1821.

SIR,
I have received and laid before the Lieutenant-Governor your letter to me

of the 26th of November last, with its two enclosures, and now enclose, for your information, the Attorney-General's opinion upon the several points referred to him.

His Honor is glad to find that the opinion of Mr. Burge coincides so completely with yours, and that you will be able to persevere in your humane and considerate endeavours to relieve the poor Indians, who appear to have been unjustly detained in bondage, from their present unhappy state; and he hopes you will omit no means of doing these persons ample justice.

I may not probably be able to satisfy your inquiries as to the manumission supposed to be on record here by the present opportunity, as the search may occupy some time; but I will send you all the information on this point that can be obtained here as soon as possible.

I have the honor to be, &c.

(Signed) W. BULLOCK.

Spanish-Town, 11th December, 1821.

SIR,

I have the honor to acknowledge the receipt of your letter of this day's date, enclosing a letter from his Majesty's Superintendent at Honduras, together with two documents which accompanied it. Having perused and considered them, I beg leave to report to you, for the information of his Honor the Lieutenant-Governor, my opinion on the four questions proposed in the Superintendent's letter, as follows:

First.—British subjects cannot, under any circumstances, hold in Slavery the Native Indians of the Continent of America, or their descendants.

Second.—British subjects (whether the original importers, or others who have since become possessed of them) cannot legally retain in Slavery the Indians, brought into the Settlement of Honduras from the Mosquito Shore, or their descendants.

Third.—British subjects, who knowingly persist in holding these Indians in Slavery, are subject to a criminal prosecution. For the purpose of removing such Indians from the control of those who hold them in Slavery, writs of *homine replegiando* should be issued against such persons at the suit of the Indians detained.

Fourth.—Such Indians would be entitled to damages from the persons who had knowingly detained them in Slavery.

I have to express my entire concurrence in the opinion which the Superintendent has formed of the effect of Sir Basil Keith's Proclamation, and of the total inadmissibility of any title which can be alleged against the right of these persons to their freedom. This right is so clear, and has been, from a very early period in the history of this island, so constantly protected by his Majesty's Government, that I strongly recommend that the Superintendent should afford them every aid, which his official situation supplies, in asserting and recovering it.

I will direct the Solicitor of the Crown to make the requisite search in the Secretary's Office for the manumission referred to in the Postscript of the Superintendent's letter.

I have thought it advisable not to delay my report until it has been found.

I am, &c.

(Signed)

WILLIAM BURGE.

William Bullock, Esq. King's House.

His Majesty's Superintendent then referred the Meeting to the Consolidated Slave Law of Jamaica, cap. 28, cl. 1; and having expressed that,

although it was his fixed determination to do justice to the Indians held in Slavery, he still desired to excite the least possible commotion in the community, or prejudice to those who unknowingly held these people in Slavery; and suggested, whether the appointment of a Commission to hear the evidence in proof of Indian descent, and of the arguments opposed by their Proprietors, would be satisfactory; requesting the Gentlemen would propose any plan by which justice could be done to the Indians without reference to legal prosecutions:

The Meeting unanimously expressed it as their opinion, that if his Majesty's Superintendent would appoint a Commission, with adequate powers, for the purpose of investigating the claims of the Indians, or their descendants, on the one hand, and of the Proprietors on the other, it would be the means of affording justice to all parties, as individuals would then have an opportunity of either emancipating persons proving themselves to be Indians, or of standing a prosecution for holding them in Slavery,

No. III.

Letter from Colonel Arthur, his Majesty's Superintendent, to the Magistrates, enclosing Proclamation—subject Indians.

Government-House, Belize,
6th January, 1822.

GENTLEMEN,

Referring to the proceedings at the Government-House, on the 31st ult., finding a number of Indians are on the eve of being sent into the interior, I have this day issued a Proclamation, asserting the right of all Indians and their descendants to their freedom, and pointing out the means provided, by which they may establish their descent.

As I am desirous that no unnecessary unpleasant sensation may be excited at this season, whilst so many African Negroes are in the town, I beg to enclose the Proclamation to the Bench, that it may be promulgated in such manner as may be considered most advisable by the Magistrates; taking care, of course, that all parties concerned are duly apprised thereof.

The duty which will be imposed on the Commissioners, although it may be of short duration, will necessarily be, as far as regards the Inhabitants, of an unpleasant nature, and it is not to be expected that their services should be gratuitous: I would therefore propose one half of the expense incurred should be defrayed by his Majesty's Government in behalf of the Indians, and the other moiety, as the community at large are so generally concerned, by the Public Treasurer.

The right of the Indians and their descendants being now so incontrovertibly established, you will, I am persuaded, be convinced, that it is my duty to afford them all the protection in my power; but in vindicating their rights, and looking for a just and reasonable indemnification for the injury they have sustained, I would desire to act with the utmost forbearance towards those Inhabitants who have, unconscious of these rights, held them in a state of Slavery.

I have the honour to be,

Gentlemen,

Your most obedient humble servant,

GEO. ARTHUR.

The Magistrates, &c. &c. &c.

No. IV.

Colonel Arthur's Proclamation.—Indians.

HONDURAS, &c.

A PROCLAMATION.

(SEAL) By George Arthur, Esquire, Colonel, his Majesty's Superintendent and Commander-in-Chief of all his Majesty's Subjects settled in Honduras, &c. &c. &c.

WHEREAS it appears by sundry Petitions, which have been presented to me, that a great number of Native Indians or their descendants are held in Slavery in this Colony; and whereas the same is illegal: I do hereby in his Majesty's name assert the right of all such Indians or their descendants to their freedom. And, in order that these persons may have the means of fully establishing their descent, a Board of Commissioners will be forthwith constituted and appointed, with ample powers to investigate into the same; and all persons who, under any pretensions whatsoever, hold these Indians or their descendants in servitude, are hereby required and enjoined to afford them every facility in appearing before the said Commissioners.

Given under my Hand and Seal at Arms, at the Government-House, Belize, Honduras, this the fifth day of January, in the second year of his Majesty's Reign, Annoque Domini one thousand eight hundred and twenty-two.

GEO. ARTHUR.

By command of his Majesty's Superintendent,

B. WILLIS, Sec.

GOD SAVE THE KING.

No. V.

Extract of a Letter from Colonel Arthur to Earl Bathurst, K. G., dated Honduras, 10th January, 1822, enclosing copy of Letter to Mr. Bullock, and which will be found under Letter D of this Appendix, page 65.

Enclosure in the foregoing Letter.

Colonel Arthur to Wm. Bullock, Esq. Secretary to the Lieutenant-Governor of Jamaica.

*Government-House, Belize, Honduras,
26th November, 1821.*

SIR,

I do myself the honor to communicate to you, that in consequence of some proceedings in the Courts of this Settlement about six weeks since, it was developed, that a large number of persons were most unjustly held in Slavery; a prosecution was in consequence instituted by the acting King's Advocate (Major Coatquelin), and, notwithstanding the greatest opposition, the freedom of eighteen was established by a Bench and Jury.

The petitions from persons representing themselves to be unjustly held in Slavery, which have since been laid before me, are so numerous, and the injustice which has for years been practised is so extensive, that I feel it necessary to proceed with the greatest circumspection.

Amongst other applicants, a very large body of persons claim their freedom from Indian descent.

After a strict search into the old Mosquito Shore Records, the enclosed Proclamation by Sir Basil Keith has been discovered with an advertisement by Colvil Briton, by which it appears the Governor of Jamaica had obtained information that several Native Indians had been enslaved at the Mosquito Shore, and, after noticing the illegality and inhumanity of the

measure, the Proclamation most strictly prohibited the practice. This Proclamation was forwarded to Mr. Lawrie, the then acting Superintendent, who, being himself deeply implicated in this inhuman transaction, seems to have shuffled over the difficulty by calling for a return of the Indian Slaves in possession of British subjects, and prohibiting the enslaving of any more, without taking any steps towards the emancipation of those who were at the time held in Slavery; the consequence was, that on the evacuation of the Shore, these poor creatures, with their children, were shipped off for Honduras, where, with their descendants, they have ever since been continued in bondage.

These Indians have of course, in some cases, passed by sale from their original importers into other hands; and such proprietors refuse to admit their right to freedom on the grounds of their having (as they consider) fairly purchased them; others maintain, that although Sir Basil Keith's Proclamation prohibited the further Slavery of Indians, he did not require those to be given up who were already in Slavery. Both arguments appear to me equally weak and untenable; Sir Basil Keith's Proclamation can never be considered to sanction an act, which, I believe, has ever been deemed illegal; and although his Proclamation did not specifically require the immediate emancipation of the Indians then in Slavery, it is very probable instructions to that effect accompanied the Proclamation: Besides, it expressly interdicts any more Indians being shipped off from the Shore, and of course, without an infraction of that part of the Proclamation, they could not have been brought to Honduras; but, as I am unassisted by any Professional Adviser, I beg to entreat you will have the goodness to lay this Dispatch before his Excellency the Lieutenant-Governor, who, in compassion to these much injured people, will, I am sure, permit their case to be referred for the opinion of his Majesty's Law-Officers at Jamaica, in order to my being advised upon the following points:

First.—Can British Subjects, under any circumstances, hold in Slavery Native Indians of the Continent of America, or their descendants?

Second.—If so, can his Majesty's Subjects, whether the original importers or others (who have since become possessed of them), legally retain in Slavery the Indians, brought into this Settlement from the Mosquito Shore, or their descendants?

Third.—Is there any penalty attached to British Subjects persisting in holding these Indians in Slavery; and can they only be compelled to give them up by a legal process? This is very essential, because there is no hope of obtaining a verdict in the Courts of the Settlement in favor of the Indians.

Fourth.—Are the Indians (many being advanced in years) entitled to damages for the injury they have sustained?

If any record of Sir Basil Keith's instructions, which accompanied the Proclamation, can be found, his Excellency General Conran will probably allow me to be furnished with a copy, together with any other documents, which may throw light upon this interesting subject.

The schooner Pompey, by which I transmit this Dispatch, will return immediately to Belize; and as, in consequence of the death of one of the old Mosquito Shore Settlers, a large body of these Indians are on the eve of being disposed of, I very earnestly beg, if it is possible, to be favored with the advice, of which I stand so greatly in need.

I have the honor to be, &c. &c. &c.

(Signed)

GEO. ARTHUR.

P.S.—There is a very large family of poor Slaves, who were brought up from the Mosquito Shore, on the evacuation, by the widow of a Mr. William

Cahoon, generally known by the name of Captain Cahoon. These people have ever maintained, that they were freed from Slavery by their Master previous to his death, and that the manumission of their grandmother, named Rose or Rosetta, is on record in Jamaica.

There are papers which give the strongest appearance of truth to their statements, and the manumission will be most probably dated in the year 1672; but it might not have been recorded for some years after. Is it possible to trace whether there is on record any manumission of Slaves by the said Mr. William Cahoon?

(Signed)

GEO. ARTHUR.

Wm. Bullock, Esq. &c. &c. &c.

No. VI.

The Magistrates of Honduras to his Majesty's Superintendent, Lieutenant-Colonel Arthur.

Court-House, Belize, Honduras, January 7th, 1822.

Sir,

We have the honor to acknowledge the receipt of your letter of the 6th inst. enclosing your Proclamation, giving notice that a Board of Commissioners will be constituted for the purpose of investigating into the claims of the Indians and their descendants.

In reply, we beg leave to inform you, that we have directed the said Proclamation to be posted up in different parts of the town, for the information and guidance of those concerned. And we beg leave further to state, that in our opinion no persons need refuse to serve gratuitously on such a business; but, should expence be unavoidable, we would prefer its being altogether defrayed by the Settlement.

We have the honor to be, Sir,

Your most obedient humble servants,

GEO. GIBSON,
JOHN W. WRIGHT.
WM. GENTLE.

*George Arthur, Esq. Colonel, his Majesty's Superintendent,
Commandant, &c. &c. &c.*

No. VII.

Colonel Arthur to the Magistrates of Honduras, naming Commissioners.

Government-House, Belize, 8th January, 1822.

GENTLEMEN,

I beg to acquaint you that I have this day constituted a Board of Commission, and appointed Major-General Pye, James Hyde, Esq. and John Costquelvin, Esq. to be his Majesty's Commissioners for the purpose of investigating into the claims of those persons in the Settlement, who represent themselves to be of Indian descent, and are consequently illegally held in a state of servitude.

The Board will open their Commission at the Court-House, on the morning of Wednesday next, at ten o'clock, and, after the Members are duly sworn, will at once proceed on the important business confided to their charge.

I have the honor to be, Gentlemen,

Your most obedient humble servant,

GEO. ARTHUR.

The Magistrates, &c. &c. &c.

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No. VIII.

Colonel Arthur's Warrant to take the Indians from their Proprietors.

HONDURAS, SS.

By George Arthur, Esq. Colonel, his Majesty's Superintendent and Commander in Chief of all his Majesty's Subjects settled in Honduras, &c. &c. &c.

To A. H. Pye, Major-General in his Majesty's Forces, James Hyde, Esq. one of the Judges of the Supreme Court, and John Coatquevelin, Esq. Major in his Majesty's Forces, and acting King's Advocate, his Majesty's Commissioners for investigating the descent of reputed Indians and their descendants.

WHEREAS it appears by the representation you have made to me this day, touching the punishment which has been inflicted on "Bess Meighan," a reputed Indian (held in Slavery by Clariassa Paslow, a mulatto woman, cohabiting with and living in the house of an inhabitant named Manfield William Bowen, commonly called Doctor Bowen), as well as by other complaints which have been personally made to me, that these reputed Indians are exposed to much severe treatment by the prejudice excited against them in consequence of your investigation:

And whereas it is my bounden duty, during the inquiry of the Commissioners, to afford these poor people all the protection in my power, I do hereby authorise and require you, in his Majesty's name, to take all the reputed Indians under your especial charge, and to afford them the like protection which they would enjoy, in case writs of *homine replegiando* had been issued from any of his Majesty's Courts at their suit.

And you are hereby further empowered to investigate, inquire, and examine on oath, into the complaints of these people, especially into that which is the subject of your representation, touching any ill usage they may have received from the persons who hold them in Slavery, or others, in order that you may fully report to me thereon.

Given under my Hand and Seal at the Government House, Belize, Honduras, this 22d day of January, 1822.

(Signed)

GEO. ARTHUR.

No. IX.

Commissioners' Warrant to the Provost-Marshal-General.

HONDURAS, SS.

By A. H. Pye, Esq. Major-General of his Majesty's Forces, James Hyde, Esq. one of the Judges of the Supreme Court, and John Coatquevelin, Esq. Major in his Majesty's Forces, and acting King's Advocate, his Majesty's Commissioners for investigating the descent of reputed Indians and their descendants, &c. &c. &c.

To Richard Davies Bull, Esq. Provost-Marshal-General of this Settlement.

By virtue of the power and authority vested in us by a warrant, issued by his Majesty's Superintendent this day, wherein we are authorised and required to take all the reputed Indians under our especial charge, and to afford them the like protection, which they would enjoy in case writs of *homine replegiando* had been issued from any of his Majesty's Courts at their suit:

These are therefore in his Majesty's name to require and command you to carry into full effect the intent and meaning of the said warrant to us issued, and that you do inform the present possessor or possessors of all

reputed Indians, whose claims to freedom have been laid before us, of the same, for their guidance.

Given under our Hands and Seals at Belize, in Honduras, this 22d day of January, 1822.

(Signed)

A. H. FYE, Major-General, President, (Seal.)

JAS. HYDE, (Seal.)

J. COATQUELVIN. (Seal.)

By command,

(Signed)

JAS. A. CARMICHAEL,

Clerk to the Board of Indian Claims.

No. X.

Colonel Arthur, his Majesty's Superintendent, to the Magistrates.—His Narrative of Indian Business.

Government-House, Belize, 28th January, 1822.

GENTLEMEN,

At the Meeting held at the Government-House, on the 31st December last, after laying before the Gentlemen assembled the opinion of the King's Attorney-General at Jamaica, upon the subject of the claim of certain petitioners, who asserted their right to freedom, on the grounds of their being native Indians or the descendants of Indians, and having read an extract from the Laws of Jamaica thereon, it seemed to be unanimously admitted that such claimants, if they proved their descent, could not be legally held in Slavery. With this understanding, in place of agitating the question in a Court of Law, I suggested the appointment of Commissioners to investigate into the descent of the reputed Indians, and to propose such reparation as they might consider these people entitled to for the injury they had sustained; declaring it was my intention, after receiving the Report of the Commissioners, not to compel either party to submit to their decision, but to make it optional to accede thereto, or abide the consequence of proceedings before such tribunals as his Majesty in his pleasure might be pleased to establish.

This proposition being unanimously approved, on the 3d inst. I issued a Proclamation, declaring in general terms the freedom of the native Indians and their descendants, and on the 8th inst. a Board was constituted by Commission, to investigate the claims of such individuals as asserted themselves to be of Indian descent.

This arrangement I then believed (and am now confirmed in the supposition) to be most calculated to do justice to the reputed Indians, with the least possible prejudice to that part of the community, who might unknowingly hold such persons in Slavery; and although I foresaw that much irritation was almost unavoidable, as soon as the Indians should discover that their rights would be protected, I still depended that the personal responsibility of those, who had illegally held them in Slavery, would be sufficient to prevent any very violent proceedings.

It was with deep regret I found myself disappointed in this expectation; in place of making due allowance for the situation and feelings of these much-injured people, such a spirit of resentment has been manifested towards them in several instances, that I have been constrained, upon the representation of the Commissioners, to enlarge their powers for the protection of the Indians, and they have very prudently placed them under the charge of the Provost-Marshal-General.

This, Gentlemen, is the actual state of the case up to the present moment, and, in place of any attempt to intimidate the Provost-Marshal-Ge-

neral in the execution of his duty, I am persuaded it will be the wisdom of all parties concerned quietly to acquiesce therein until the Commissioners have concluded and laid their report before me, when every case, which can be adjusted here, will be referred to the persons interested for their allowance or disallowance. I am induced to make this full communication in the hope that the Bench will use its influence (and much may certainly be done by explanation and persuasion) to prevent unnecessary irritation. At the same time I must frankly declare, that I have taken the fixed determination to allow no compromise or accommodation on behalf of those who shall excite farther commotion; but, placing the Indians under the protection of the Provost-Marshal-General, I shall, by the earliest opportunity, refer all such cases to his Majesty's Government, praying that a *mandamus* from the Court of King's Bench may be issued to remove such parties to England for trial at the suit of the Indians.

The present excitement appears to me to be founded in the very injurious and erroneous notion, entertained upon this important question by the parties who hold the Indians in Slavery: they seem to consider that their interest and their convenience are the primary objects to be consulted; whereas, by every unprejudiced mind, any loss they may sustain, or any privation they may endure, must be regarded as a very secondary consideration, in comparison to the over-ruling necessity of doing justice to the injured and degraded Indians.

I have the honor to be, Gentlemen,

Your obedient humble servant,

(Signed)

GEO. ARTHUR.

No. XI.

The Magistrate to Colonel Arthur.

Court-House, Belise, Honduras, February 5th, 1822.

SIR,

We have the honor to acknowledge the receipt of your Letter, of date the 28th ult., being a narrative of your proceedings in asserting the claims of Indians, and the descendants of Indians, to their freedom. In reply, we solicit you will cause to be laid before us for our guidance all the documents on which the Attorney-General of Jamaica has grounded his opinion.

We have the honor to be, Sir,

Your most obedient humble servants,

JOHN W. WRIGHT.

D. WILSON.

EDWARD MEIGHAN.

THOS. ILES.

THOS. FRAIN.

*Geo. Arthur, Esq. Colonel, his Majesty's Superintendent,
Commandant, &c. &c. &c.*

No. XII.

*At a Meeting assembled at the Government-House, Belise, Honduras, on
Monday the 11th of February, 1822:*

Present:—His Majesty's Superintendent.

Major-General Pye,

James Hyde,

Thomas Iles,

David Betson,

Browne Willis,

John S. August,

John Coatquevin,

Archd. Colquhoun,

Esquire. { The Rev. John Armstrong,
William Maskell,
William S. Eve,
R. D. Bull,
William Usher,
Thomas Pickstock,
Richard Ward,
George Sproat.

James Alexander Carmichael, Assistant Keeper of Records, as Clerk to the Meeting.

His Majesty's Superintendent then addressed the Meeting as follows:

"GENTLEMEN,

"In the following Letter, which I addressed to the Magistrates on the 28th ult., I have detailed my proceedings respecting the claims of the reputed Indians, and their descendants, up to that date."

For Letter, see No. X. in this Appendix.

"In addition to the observations contained in this Letter, it escaped me to remark, that after having suggested the appointment of Commissioners; I proposed your taking some little time to consider the measure, and that the Meeting might be again convened in the course of a few days.

"This precaution, you will recollect, was deemed unnecessary; and I am persuaded it was at that time the deliberate judgment of the Meeting that the Attorney-General's opinion was so clear and decisive, that any legal prosecution in behalf of the Indians should by all means, if possible, be avoided.

"Thus much I have thought it necessary to premise before I enter upon the Report of the Commissioners, because, on a perusal of it, I find that pretensions have been since set up to establish the right of holding these Indians in Slavery, which certainly were not thought of at the Meeting.

"I am not weighing the strength of these pretensions, nor am I questioning the propriety of any individuals subsequently bringing forward arguments, which did not present themselves to his mind, or more probably did not come within his knowledge, at the Meeting of the 31st of December: My only desire is, that it should be strictly borne in remembrance how the question stood on that day, as it was the foundation on which I have since proceeded.

"The Clerk of the Board of Commissioners will not read the Report of the Commissioners.

Report read: See this Appendix, No. XXII.

"Such, Gentlemen, is the deliberate judgment which the Commissioners, on their oath, have formed upon this important case; and I cannot avoid this public opportunity of expressing the great obligation I feel for the comprehensive view they have afforded me of this very interesting subject; and of bearing my testimony to the strict integrity of principle, which is apparent throughout the whole of their proceedings, as well towards the poor Indians as their asserted proprietors.

"As I stated at the former Meeting, I shall not take upon myself to give freedom to one single Indian; but the temporary protection, which I have been constrained to afford them, must now be continued until their fate is finally determined; and it appears to me so just, and so reasonable, and so equitable, that this protection should be afforded them, (and which you must be sensible would be extended to them by every Court of Law in the West Indies), that with a perfect knowledge of its having excited much dissatisfaction, I cannot hesitate one moment in taking all the responsibility upon myself. But, having done thus much in behalf of the Indians, I am very far from being desirous to hurry the proprietors to any hasty decision; if, either to gain further information, to obtain legal advice, to search the Records here or at Jamaica, or, as I have understood some are desirous of doing, to petition his Majesty's Government, more time is desired, all that is reasonable will be fully and readily allowed; and the petition, I do assure you, I will most cheerfully forward, even though it contains a representation of your alleged grievances on my having taken these people from under your control; for I can most truly and conscientiously affirm it is my sincere desire, as I have expressed in the main article of the instructions to the

Commissioners, to do justice to the Petitioners with the least possible injury to the inhabitants.

"There are cases which admit of no arrangement but the decision of a Court of Law; but sincerely advising you, generally and dispassionately, to weigh the consequences of legal prosecutions, it now only remains for me to propose (agreeably to my original declaration) to the decision of the parties concerned, as well the Indians as their asserted owners, whether they will acquiesce or not in the Report of the Commissioners, which fully substantiates, with the exception of one family, the Indian descent of all the Petitioners who have appeared before them; and it must be remembered, that of this descent you cannot plead ignorance from this day."

After much conversation, his Majesty's Superintendent stated, "that he was sorry to perceive that transmitting the whole of the documents to his Majesty's Government was the only alternative; but begged all the parties concerned to understand, that if they had any petition or case which they desired to transmit, he would be most ready to forward it with the Report of the Commissioners."

No. XIII.

Extract of a Letter from Colonel Arthur to Earl Bathurst, K. G., dated Government House, Belize, Honduras, February 28th, 1822.

The dispatch, which I did myself the honor to address to your Lordship on the 10th of January last, will have informed your Lordship, that a number of persons had petitioned in this Colony, representing themselves to be Indians or descendants of Indians; that his Majesty's Attorney-General at Jamaica had given his unqualified opinion, that these people could not be held in Slavery; that from some difficulties it was not possible to follow any mode of proceeding by Law; and that, therefore, at the most respectable general Meeting it was in my power to convene, I had proposed the investigation of the descent of these petitioners by Commissioners, who should also be empowered to award reasonable reparation for the injury they had sustained, which proposition having met the unanimous concurrence of the Meeting, Major-General Pye, James Hyde, and John Coatquelin, Esqrs, had been appointed Commissioners.

It is now my duty to report, that the Board opened their Commission and proceeded to business the 9th of January, and matters went on in a satisfactory manner for some days, when it was discovered by some of the asserted Proprietors, that a law had been passed by the Legislature of Jamaica, in the year 1741, upon the subject of enslaved Indians, by a provision of which Act, although the practice was strongly reprobated and strictly prohibited, the Owners of such Indians were continued in possession of their property, and were only required to register their Indian Slaves.

It was insisted, therefore, that a partial registry of Indians, which took place upon the Mosquito Shore in the year 1777, equally justified the British subjects settled there in retaining such property; and that the Petitioners, who now claim their freedom, must for the most part have been the Indians then registered, or their descendants; or that at least it was for them to prove the negative.

This discovery was no sooner made, and the inference drawn from it promulgated, than much excitement manifested itself amongst the Proprietors, who, considering they had now found plausible grounds, on which they might make a stand for holding the Indians in Slavery, suddenly changed the opinion they had formed at the Meeting on the 31st of December, and seemed to entertain a very general determination not to give up the reputed Indians, however clearly their descent might be proved. The poor Petitioners in

many cases soon experienced the sad effects of this alteration of sentiment, and one instance of inhumanity and severity so greatly excited the commiseration of the Board of Commissioners, that they made it the subject of a special examination and report, submitting at the same time that the authority, with which they were invested, was not adequate to the effectual protection of the reputed Indians. After an interview and consultation with the Commissioners, I issued a warrant, enlarging their powers, so as to enable them to afford these poor people the same protection, as they would enjoy in case writs of *hominum replegiando* had been issued at their suits from any of his Majesty's Courts.

The Board having closed its Report on Friday the 8th, I requested the Magistrates to summons for Monday the 11th inst. the Meeting, which had been before convened, and beg to lay before your Lordship copy of the minute of the proceedings, the result of which, your Lordship will perceive, has left me no alternative, but submitting the Report of the Commissioners, with the Appendix, for the consideration and decision of his Majesty's Government. Wholly disregarding the arbitration of the Commissioners, the general determination is not to give up the Indians, whose descent, with the exception of one family, has been clearly proved, but by compulsion!

No other plea was offered at the Meeting for this determination but the Act of 1741, which, whilst it branded the practice of enslaving the poor Indians as "unfair, barbarous, and pernicious," most unaccountably admitted a clause, dooming the wretched beings, who already had been torn from the bosom of their families, and introduced into Jamaica, to the misery of Slavery; and it is within this extraordinary provision of the Act that the proprietors now entrench themselves.

Unacquainted with all the circumstances, under which this Act of 1741 was passed, it may be harsh to stigmatise it as a disgrace to the Statute-Book of Jamaica; but it appears most preposterous to contend that it ever could have any force upon the Continent of America, much less that any provision it contains can convey a right to the servitude of those Indians and their descendants, who were registered on the Mosquito Shore thirty-six years after the Act was passed. The authority of the Legislature of Jamaica indeed never extended over that Colony; it was subject only to the control of the Governor, who, it is most clearly substantiated by the document comprehended in the Report, repeatedly sent down Orders and Proclamations, strictly prohibiting the enslaving of Indians. The instructions also recited in the Report, which were sent out by his Majesty's Government, breathe nothing but kindness and humanity towards the poor Indians, and uniformly manifest the most tender concern to secure the mildest treatment towards this inoffensive race of men; in place of which, by the affidavit of some of the most respectable evidences, your Lordship will observe, these poor Indians were hunted down in all quarters, and absolutely smoked out of the holes and caves, in which they had taken refuge from their rapacious and merciless pursuers.¹

But the whole subject, my Lord, is so deeply considered in the Report of the Commissioners, that it is unnecessary for me to pursue it to any greater length. Every argument, which it was in my power to advance, I strenuously urged at the Meeting, to induce the parties concerned to submit to the arbitration of the Commissioners.

The protection which I have from necessity caused to be extended to the poor Indians, by placing them under the care of the Provost-Marshal-General, although in strict conformity to the proceeding of the Council of Protection in Jamaica (being deemed exceedingly arbitrary), has given great

¹ On this Letter see Defence, pages 36 and 54.

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efficiency, and strong measures are threatened to be pursued against me immediately on my arrival in England; but even if, from the apprehension of personal consequences, I could now wish to abandon these poor people at such a moment, I have gone too far to retract; and it alone remains for me to submit the case to the wisdom of his Majesty's Government, in the confident hope it will be considered that I have done nothing more than my duty; and that some authority will be constituted with ample powers, to emancipate these poor Indians from Slavery, and to award them just and liberal reparation for the injury they have sustained.

I have, &c.

(Signed)

GEO. ARTHUR,

Colonel, Superintendent and Commandant.

XIV.

Sir Basil Keith to the Inhabitants of the Mosquito Shore.

29th December, 1775.

GENTLEMEN,

Captain Hodgson, the Superintendent, being ordered to go to England to lay before his Majesty information of the state and condition of the Settlement upon the Mosquito Shore, and of the several matters to which the complaints against his Majesty's Government, I have, in consequence of the King's Command, signified to me by the Earl of Dartmouth of his Majesty's Principal Secretaries of State, in his Letter of the 2d August last, appointed John Fergusson, Esq. a Gentleman, in whose judgment and discretion I can rely, to superintend the Settlement in the absence of Captain Hodgson, or until his Majesty's further pleasure be known.

With the advice and assistance of his Majesty's Council here, I have further

Mr. Fergusson with Instructions, and your trust will be productive of the best effects to the Settlement, as in and through me have been actuated by the most earnest desire to make you partakers of every blessing attending our happy Constitution.

These instructions will be submitted to the consideration of his Majesty and his Ministers in the mean time: I hope they will concur with a Proclamation, drawn up in conformity with the directions of Lord Dartmouth's Letter, which Mr. Fergusson will directly issue, at least to restore order and tranquillity to your Settlement, the prosperity of which will ever afford me the greatest satisfaction.

I am, Gentlemen,

Your most obedient humble servant,

BASIL KEITH.

ON HIS MAJESTY'S SERVICE.

Inhabitants at Black-River, Mosquito Shore.

XV.

Jamaica, 29th December, 1775.

SIR,

I take the first opportunity of transmitting you the Earl of Dartmouth's Letter of the 2d of August, which will be delivered to you by Mr. Fergusson, the Gentleman I have appointed, agreeable to his Majesty's pleasure, signified to me by his Lordship's Letter of the same date, to superintend the Settlement upon the Mosquito Shore, during your absence, or until his Majesty's farther pleasure be known.

I will be obliged to you for any information you give Mr. Fergusson.

L

relative to the Superintendency, and shall be extremely grateful for every kindness and civility you shew him, as he is a person in whose welfare I am much interested. He will, I am sure, be happy to be of use or service to you in your absence.

Your last Dispatch to the Secretary of State shall be forwarded by the next Packet. It came to my hands two days after the last one sailed.

In your Letter to Lord Dartmouth, you seem anxiously to wish to have leave to make a voyage to England. I hope it will be a pleasant one, and productive of the best consequences to you.

I am, Sir,

Your most obedient humble servant,
(Signed) **BASIL KEITH.**

Robert Hodgson, Esq.

No. XVI.

Whitehall, 2d August, 1775.

SIR,

Having laid before the King a State of his Majesty's Affairs upon the Mosquito Shore, and also the Complaints exhibited against you, with your answer thereto, I am commanded to signify to you his Majesty's pleasure, that you do immediately return to England, in order to lay before his Majesty such information of the state and condition of the Settlement on that Shore, and of the several matters to which the complaints against you refer, as may enable his Majesty to take such steps and make such arrangements in regard thereto, as shall be adjudged necessary.

I am, Sir,

Your most obedient humble servant,
(Signed) **DARTMOUTH.**

Robert Hodgson, Esq.

No. XVII.

Sir Basil Keith's Proclamation.

JAMAICA, 89.

BY THE KING.—A PROCLAMATION.

Recorded by Order of John Fergusson, Esq. Superintendent of the Mosquito Shore.

Whereas many of our Subjects at Black-River, on the Mosquito Shore, misled by ill-designing people, and forgetting the allegiance which they owe to us, have lately presumed to form and establish a Constitution of Civil Government among themselves, and to elect Officers and Magistrates for the Administration of the same, without any powers or authority derived from us for that purpose, which proceedings are against our Peace, Crown, and Dignity :

And whereas many of our said Subjects, through an ungoverned and insatiable desire of lawless gain, have made Slaves of several Native Indians of the said Shore, or the parts adjacent, and shipped them off for sale, in violation of the common feelings and rights of humanity, and also of the obvious principles of sound policy : To the end, therefore, that none of our Subjects may, for the future, violate their duty in the particulars above-recited, We have thought fit to issue this our Royal Proclamation, hereby declaring our just displeasure at such insults offered to our Authority, and that all such proceedings are acts of usurpation against our

Royal Prerogative, and against the personal rights of the said Native Indians, and hereby strictly forbidding all our loyal Subjects on the said Mosquito Shore to offend in the like instances, under the pains and penalties that will fall thereon.

Witness his Excellency Sir Basil Keith, Knight, Captain-General and Governor in Chief of our said Island of Jamaica, and other territories thereon depending in America, Chancellor and Vice-Admiral of the same, at Saint Jago de la Vega, the twenty-ninth day of December, in the sixteenth year of our Reign, Annoq. Domini one thousand seven hundred and seventy-five.

BASIL KEITH.

By his Excellency's Command,

RICHARD LEWING, Sec.

(SEAL.)

GOD SAVE THE KING.

No. XVIII.

Extract from the Instructions delivered to John Fergusson, Esq. by Sir Basil Keith, Governor of Jamaica.

JAMAICA, 25.

L. S.

Instructions for John Fergusson, Esquire, appointed by me to superintend the Affairs of the Mosquito Shore during the absence of Captain Hodgson, or until his Majesty's further pleasure be known, agreeable to the King's Command, signified to me by the Right Honorable the Earl of Dartmouth, one of his Majesty's Principal Secretaries of State, in his Letter of the 2d August, 1775.

"1. In consequence of the authorities given to you, as the King's Superintendent on the Mosquito Shore, which is subject only to the controul of the Governor or Commander in Chief of Jamaica, you are to proceed, by the first opportunity, to that Settlement; and, upon your arrival there, you are to deliver the Earl of Dartmouth's letter to Captain Hodgson, by which his Majesty orders him immediately to return to England: You will then take upon you the charge of the Superintendent, and forthwith issue and publish the Proclamation herewith given you, which is drawn in the terms directed by the Earl of Dartmouth's Letter to me, of the 2d of February, 1775.

"2. You are to lose no time in issuing a Writ for the Election of twelve Members to compose a Council, at Black-River, on the Mosquito Shore: And in order that the said Election may be similar to those in this Island, you are furnished with Writs out of the Court of Chancery, properly attested by me, and directed to the person appointed to execute the same, who has powers granted to him for the express purpose of making the Election more regular.

"3. You are to take care that the Election be carried on by the Poll, and the Return made by Indenture between the above-mentioned Officers and the Electors, in the same manner as Writs of Election for Members to serve in the Assembly of this Island.

"4. When the Return is made to you, you are to administer to each Member returned the several Oaths directed to be taken by Act of Parliament.

"5. You are to be President of the Council, but are only to have a casting voice in case of an equal division of opinion in the Council, either to make Regulations or determine Appeals.

"6. You are empowered to suspend the Council, sending your reasons for so doing to the Governor or Commander in Chief of Jamaica; who, if he approves of such reasons, may order you to dissolve the said Council, and issue a new Writ for electing another. And, in case he disapproves of the reasons so transmitted by you, he may order you to take off such suspension; but you are not in any wise empowered to suspend one or any Member of the Council less than the whole.

"7. You are to take care that no Indented Servant, Indian, Mulatto, Negro, or any one of mixed blood, shall sit in the Council, or have any Vote for electing the Members to serve therein, nor shall hold or enjoy any Commission whatsoever, either Civil or Military, or be Jurors; and that every Member of the said Council shall be a Freeholder, or an Independent Man of Property.

"8. You are to observe, that no less than seven Members, besides the President, shall constitute a Board to proceed to business.

"9. This Council shall have power to make Regulations for the internal Police of the Settlement; such Regulations to be in force till rejected by the Governor or Commander in Chief of Jamaica."

No. XIX.

*Proclamation of John Fergusson, Esq. his Majesty's Superintendent,
Mosquito Shore.*

*Recorded by Order of John Fergusson, Esq. Superintendent of the
Mosquito Shore.*

MOSQUITO SHORE, ss.

(SEAL.) By John Fergusson, Esq. Superintendent of the Mosquito Shore.

Whereas the Inhabitants of this Settlement are empowered to elect from among themselves twelve Members, whereof to compose a Council for the Regulation of the said Settlement: These are therefore to require that all the White Inhabitants, thereunto belonging, will assemble at the Public Building on Black-River Bank, on the first day of March next ensuing the date hereof, then and there to proceed to a fair and unbiassed Election.

Given under my Hand and Seal at Arms, at Black-River, on the said Shore, this twenty-second day of January, in the sixteenth year of his Majesty's Reign, Annoque Domini one thousand seven hundred and seventy-six.

JOHN FERUSSON.

By the Superintendent's Command,

JAMES USHER, Sec.

No. XX.

*An Act of the Superintendent and Council of the Mosquito Shore,
relative to Indians.*

An Act for Recovering and Extending the Trade with the Indian Tribes, and preventing for the future some evil practices formerly committed in that Trade.—Passed the 22d day of August, 1776.

Whereas great advantages might be derived to his Majesty's Subjects in general, and more particularly to the Inhabitants of this Colony, if a good Correspondence and open Commerce were established between them and

the Indians: And whereas the evil practices of several Traders, who have frequently taken Indians from their Settlements clandestinely, and have also encouraged the Mosquito Indians to commit the like practices, and sold them for Slaves in this Country and many other parts, have occasioned many of the Indian Tribes, with whom his Majesty's Subjects held a friendly intercourse, and carried on a beneficial Trade, particularly the Woolwas and Cookaras to withdraw their friendship from his Majesty's Subjects, and to enter into an alliance and friendship with the Spaniards, and have not only discouraged those Tribes from continuing, but many others of the Indians (it may be presumed) from engaging, in any Commerce with us: In order, therefore, to prevent for the future such unfair, barbarous, and pernicious practices, and to remove the ill effects of those already committed, By virtue of the Power and Authority to us given by his Majesty's Governor of the Island of Jamaica, We, the Superintendent and Council of the Mosquito Shore, do hereby enact, and be it therefore enacted by the authority aforesaid, That all Indians, who shall be offered for sale in any part of this Colony, from and after the twenty-second day of October, in the year of our Lord one thousand seven hundred and seventy-six, shall be free to all intents and purposes, as any other Aliens or Foreigners are, and that all sales made in this Colony to any person or persons residing, or that shall reside or belong to this Colony, of any Indian or Indians, from and after the twenty-second day of October, in the said year one thousand seven hundred and seventy-six, shall be absolutely null and void; and that if any person or persons shall, from and after the said twenty-second day of October, in the year of our Lord one thousand seven hundred and seventy-six, sell or buy any Indian or Indians, every such person or persons shall forfeit, for every such offence, the sum of fifty pounds, Jamaica Currency, to be recovered on conviction before any two Magistrates in this Colony, one moiety whereof shall be to the informer, or him or them who shall sue for the same, and the other moiety to the use of this Colony.

2d. And be it further enacted by the authority aforesaid, That all Owners of Indian Slaves in this Colony, their Agents or Attornies, shall, on or before the first day of March, in the year of our Lord one thousand seven hundred and seventy-seven, give in the Names and Sexes of all Indians, which belong to them respectively, to any Magistrate, to be by him transmitted to the Secretary of this Colony to be registered in this Office, and that all and every Indian or Indians, whose Name or Names, Sex or Sexes, shall not be given in as aforesaid, shall be free to all intents and purposes.

3d. Provided always, and it is the true intent and meaning of this Act, That all and every person or persons, who is or are already seized of any Indian Slave or Slaves, shall have power to sell, and otherwise dispose of, all and every such Indian or Indians in as full and ample manner as he or they might have done before the making of this Act.

Passed the Council, this 2d day of August, 1776.

JOHN BARRY, Clerk of the Council.

No. XXI.

The Council and Magistrates of the Mosquito Shore to Sir Basil Keith.

MAY IT PLEASE YOUR EXCELLENCY,

We, the Council and Magistrate of the Mosquito Shore, for ourselves and in behalf of the other Inhabitants, beg leave by this opportunity to acknowledge having received your Excellency's Letter, directed to the principal Inhabitants of this Colony, by John Fergusson, Esquire, our present Superintendent; and permit us to assure your Excellency, that we retain in

our minds the most grateful sense of your Excellency's goodness in bestowing so much care and attention upon the concerns of this infant Colony, particularly by appointing Mr. Fergusson to succeed Mr. Hodgson, who, by his illegal and unconstitutional proceedings since his arrival here as Superintendent, has drawn upon himself the contempt and indignation of all the Inhabitants Settlement, and we flat when your Excellency our conduct has been repressed by S

Hodgson to Lord Dartmouth, late Secretary for American affairs, that you will use your interest to prevent his ever returning to this country in any public capacity whatever.

At present we have the fairest prospect of enjoying internal peace and quiet, in consequence of the harmony and good understanding which subsists between Mr. Fergusson, the present Superintendent, and his Majesty's loyal Subjects settled here; and we shall esteem his continuance amongst us in that character as a singular happiness. With respect to what hath happened relative to the Colony, since Mr. Fergusson's arrival here, we leave entirely to him, who will no doubt acquaint your Excellency with every material occurrence since that period; but, before we conclude, we cannot ing your Excellency, that we rest most cheerfully obey his Majesty's commands and that may be transacted to us by your Excellency, or any other of his Majesty's Governors; and, so far are we from wishing to live in the lawless manner as represented by Mr. Hodgson, we now think ourselves particularly fortunate in having a regular form of Government established amongst us, which has in a great measure been the means of restoring that peace and tranquillity we have so long been strangers to.

We have the honor to be,

With the greatest respect,

Your Excellency's most obedient and most humble servants,

JOHN BOURKE.

JAMES HOWE.

JOHN LAURIE.

PHILIP BOGLE.

DAN. HEWLETT.

JOHN ORRETT.

WILLIAM REID.

JOSHUA STODDART.

JOHN GALLEN.

ON HIS MAJESTY'S SERVICE.

To His Excellency Sir Basil Keith, Governor,
Commander in Chief, &c. &c. &c. of his
Majesty's Island of Jamaica. }

Black-River, Mosqui

20th April, 1777

NO. XXII.

The Report of Colonel Arthur's Commissioners.

The Board of Commissioners, appointed by virtue of a Warrant and Commission of his Majesty's Superintendent at Honduras, dated the 8th day of January, 1822, to investigate and inquire into the Petitions of such persons as claim their freedom from their being native Indians of this Continent, or their descendants, having met from time to time, and received all the information and evidence, which they could collect by testimony upon oath, by such of the Records of the Mosquito Shore as have been preserved, and by all other means in their power, have agreed upon the following Report:

Before they enter immediately upon their task, the Board deem it proper to premise two things—

The first is, that the Records of the Mosquito Shore, which have been preserved in the Record-Office of this Settlement, are in a very mutilated condition; that it appears probable a part of them may have been sent to Jamaica, and consequently that considerable additional information might be obtained, if deemed necessary, by inquiry at the proper offices of that island.

The second is, that, in consequence of the great length of time elapsed since the nefarious practice of enslaving the Indians in the neighbourhood of the Mosquito Shore has been abrogated,¹ the living witnesses, who personally knew the native Indians, from whom have lineally descended the present claimants, are few in number, very old and infirm, and, being mostly Negroes, are illiterate, and unable to form a correct Idea of dates, or to answer any questions but as to matter of fact. Their evidence, however, has appeared to the Board to have been given fairly and honestly, and, as far as their knowledge goes, entirely to be depended upon.

The establishment of the English upon the Mosquito Shore appears to have taken place at an early period: First by the Buccaneers, and afterwards by men employed in the contraband trade carried on between Jamaica and the Spanish Main.

As early as the year 1671 Sir Thomas Lynch, the Governor of Jamaica, transmitted to King Charles the Second, in consequence of his Majesty's instructions, a full account of the right by which his Majesty's subjects were settled on the Mosquito Shore, as well as of his Majesty's subjects settled on the Coast of Yucatan, as appears by a Report made in the year 1717 by the Board of Trade and Plantations.

On the 31st of July, 1741,² Colonel Edward Trelawny, then Governor of Jamaica, appointed Robert Hodgson and William Pitt, Esqrs. the former Captain, and the latter Captain-Lieutenant, of all the Forces raised, or to be raised, within the Islands of Rattam, Bonares, and the Bay of Honduras, and, by his Warrant and Commission of the same date, did appoint those two Gentlemen Justices for the keeping of the peace within the said territories; and authorizing them to hold Sessions for the trial and punishment of murder, burglary, felonies, and all other offences committed in the said territories.³

The English settled on the Mosquito Shore very early contracted an intimate acquaintance and connection with the Mosquito Indians, a na-

¹ About 1776 or 1777.

² Mosquito Shore Records.

³ Geo. II.

in addition to his usual titles, is called in that Commission, "of Rattam, Bonacca, and the Honduras, Lord."

tion at that time very populous, and of a warlike disposition. They boast of never having been conquered by the Spaniards, and their attachment to the English Nation has been carried so far by means of the English Settlers, that, under the Government of the Duke of Albemarle over Jamaica, they made a formal cession of their territory to the King of England, and from that time it has been usual for their Kings upon their accession to repair to Jamaica to render homage at the hands of the Governor of that island.

The Mosquito Indians are a barbarous and cruel people. They are in the lowest state of civilization, and are under the most abject subjection to their King and Chiefs, a state directly opposed to that of all other Indian nations, whose inhabitants are a mild, timid, and peaceful race, and who appear to live under patriarchal government.

The Mosquito Indians pay considerable attention to the raising of cattle, while the other Indian nations seem to subsist by hunting. Differences so striking between nations of the same Continent, and divided by no inaccessible barriers, have given rise to a conjecture by no means improbable, that their origin has been different; and this conjecture is confirmed by a current tradition, prevalent both among themselves and their neighbours, viz. that a ship, loaded with Negro men from Africa, was, at some very remote period, wrecked upon the Mosquito Shore; that those Negroes revolted, seized upon the male inhabitants of the sea-coast, and massacred them, and that, by intermixing with the Indian females, they have altered the race and habits of that nation. This conjecture also receives a further confirmation from the Mosquito Indians themselves, whose personal appearance strongly indicates this mixture of race between the Negro and the Indian.

It may, therefore, be inferred, from what has been said, as well as from matter of fact, that the Mosquito Indians kept the other Indian nations around them in a state of subjection, several of whom paid, and still continue to pay, tribute to the Mosquito King.

The English Settlers on the Mosquito Shore employed the Mosquito Indians in fishing, collecting tortoiseshell, sarsaparilla, &c. &c. and paid them in Oznaburghs, knives, gunpowder, shot, iron pots, &c. It appears also that when these Mosquito Indians had made any incursions into the territories of their neighbours, and taken any of them prisoners, they found ready purchasers for them in the English, who paid for them in the same trifling articles; and, indeed, it is highly probable that these poor ignorant Indians were instigated by their employers to make frequent incursions of this description, in order to kidnap and enslave the unhappy inhabitants of the interior, although the Board is not fully authorized by the evidence before them to conclude positively that such was the case. It is, however, certain that the number of Indians so obtained must have been considerable, if, as Mrs. Robinson says in her evidence, that almost the whole of the labor of the Southern part of the Mosquito Shore was performed by the Indian Slaves.

It is also highly probable that considerable numbers of these kidnapped Indians must have been sent to Jamaica by the English Settlers for sale in that island, and which caused the Act of the Legislature of Jamaica 14 Geo. II. c. 6, to be passed, an Act which, by its preamble and different clauses, is a disgrace to the Statute-Book of that Colony; and so great is the alteration in the feeling of men in the Colonies, that the Board feel convinced such an Act, at this period, would not find a single Member of the Assembly hardy enough to move, but which, even as it exists, is so far from being a ground of right to the English Settlers on the Mosquito Shore to retain in Slavery the In-

dians, whom they obtained in the manner already described, that it conveys the greatest censure upon their cruel and iniquitous transactions. Besides, the Legislature of Jamaica never possessed any share in the Government of the Mosquito Shore, which, from the earliest time, was placed under the direction of the Governor and Council of that island only, and consequently the influence of the Act alluded to could not extend beyond the island itself: It could have no force upon the Mosquito Shore, and all sanction and confirmation thereof of the servitude of those Indians enslaved before 1741, derived from that Act, must be entirely void and groundless.

In the year 1749 Captain Robert Hodgson was appointed the first Superintendent of the Mosquito Shore.

The Letter of his Grace the Duke of Bedford, then his Majesty's Principal Secretary of State for the Home Department, to Governor Trelawny, is too much to the purpose of this Report not to be inserted here at length. It is as follows :

SIR,

I have the satisfaction of being able to acquaint you that his Majesty has resolved to send Captain Hodgson to the Mosquito Shore, in order to regulate and superintend the Settlement there, and likewise to cultivate such an union and friendship with the Indians in those parts as may induce them to prefer his Majesty's alliance and protection to that of any other Power, which must, at all events, be of advantage to this nation, but especially in case of any rupture with the Crown of Spain.

On the death of Captain Hodgson, in the year 1758, Engineer Richard Jones was commissioned by Henry Moore, Esq. then Lieutenant-Governor of Jamaica, to succeed him as Superintendent, who (remarks Mr. White, the Agent for the Mosquito Shore Settlers) kept the same line of duty as his predecessor in cultivating the affection, friendship, and fidelity of the Indians.

In the year 1760 Governor Lyttleton, on his arrival in Jamaica, appointed Captain Joseph Otway Superintendent on the Mosquito Shore, superseding Engineer Jones. This Gentleman (observes Mr. White again) invariably pursued the same track of duty in attending to his Ministerial and political functions of keeping the Indians affectionately attached to the interests of England.

In the year 1767 Robert Hodgson, Esq. the son of Captain Hodgson, the first Superintendent, was appointed to succeed Captain Otway, who died early in that year; and in the Ministerial letter of Lord Hillsborough, his Majesty's Principal Secretary of State, dated the 20th February, 1768, acquainting him with that nomination, he is directed to apply himself with all zeal and diligence, amongst other duties, to cultivate a strict union and friendship with the Indians in those parts.

In the year 1775 Mr. Hodgson was recalled by Lord Dartmouth, in consequence of complaints preferred against him by the Settlers, and Sir Basil Keith, then Governor of Jamaica, appointed John Fergusson, Esq. to act as his Majesty's Superintendent upon the Mosquito Shore for the time being, furnishing him with instructions for the better government of that Country, and ordered him on his arrival to publish a Proclamation, drawn up in the terms directed by the Earl of Dartmouth's letter to Sir Basil Keith, dated 2d August, 1775.

On the 17th May, 1778, Captain Lawrie was appointed his Majesty's Superintendent by Lord George Germain, his Majesty's Secretary of State; and, as appears by his Lordship's letter of instructions of that date to Captain Lawrie, one of his principal duties as Superintendent was

to cultivate a strict union and friendship with the Indians in those parts.

On the 29th day of August, 1776, Captain Lawrie arrived at Black-River upon the Mosquito Shore, and took upon himself the Superintendency of the Settlement, according to his instructions from home, and the Commission given him by Sir Basil Keith, dated the 19th of August, 1776.

On the 28th of February, 1777, Sir Basil Keith wrote to Captain Lawrie as follows :

"As you will be answerable to the Ministry for your conduct on the Shore, it behoves you to prevent the perpetration of such horrid murders as have been committed by the Mosquito Men on the Wolwa Indians; and you ought to exert yourself to the utmost to bring the offenders to justice, and thereby show the several Indian nations on the Shore in what abhorrence the English hold such villains, and how ready they are to punish them, and protect those who are peaceable and friendly to us."

"My predecessors and myself have repeatedly sent down Orders, and issued Proclamations, against the making Slaves of any Indians. Last Sessions the Legislature of this island have, I trust, effectually struck the axe to the root of that mischief by passing a Law, a copy of which I enclose for your particular information and guidance."

Captain Lawrie remained Superintendent until the evacuation of the Mosquito Shore in the year 1787, agreeably to the Convention Treaty with Spain of 1786.

The Board have been thus particular in referring to and quoting the above extracts from the Records of the Mosquito Shore, in order to enable his Majesty's Superintendent to judge how far his Majesty's Government at home, or the Governors of Jamaica from the first moment of their assuming any authority or control over the Mosquito Shore, have been anxious to protect the native Indians, and to secure their friendship and union; and also to judge whether that country has ever been considered an appendage of the Jamaica Legislature, or solely subject to the directions of the Governor and Council of that Island; and, consequently, whether the Act of 1741, (the 14th Geo. II. c. 6), already referred to, or any other Act explanatory thereof, can have any bearing whatever upon the subject of Indian Slavery on the Mosquito Shore.

The Board beg leave to observe, that they have found in the Mosquito Shore Records a partial and imperfect Registry of Indians held in Slavery in that country, made in the year 1777; but though they have perused with the greatest attention the instructions of Sir Basil Keith to John Fergusson, Esq. in sending him to the Shore as Superintendent, Sir Basil Keith's Letter to the Council at Black-River, dated the 29th December, 1775, and the Letter from that Board in answer thereto, together with their Minutes from their first formation to the evacuation of the Shore, so far at least as those Minutes have been preserved on the Records, yet they have not been able to discover the least intimation by which they might judge in whom, and by whose authority, that measure originated: They think it proper, however, to remark, that Superintendents Fergusson and Lawrie's Letters to Sir Basil Keith, reporting to him their arrival, and what measures they had adopted to carry into execution his instructions and Proclamations, do not appear upon the Records, and the Board consider it very likely that this correspondence might throw considerable light upon the transaction; but it is not at all probable that it would strengthen and support in the smallest degree the argument of those Gentlemen who have appeared before them; and who, with a view to retain the Petitioners in Slavery, have assumed that an Act, similar to that passed in Jamaica in the year 1741, must have been passed at the Mos-

quito Shore in the year 1777; and which, as they further presume, received the sanction and approval of his Majesty's Government, or the Governor of Jamaica. This correspondence, however, may easily be procured if required.

In reference to another objection advanced, the Board feel no difficulty whatever in deciding that the demand, urged by some of the defendants, that the burden of proof of such an Act not having been passed, and that the ancestors of the Petitioners were not registered in Jamaica in the year 1741, pursuant to the Act of that year, already alluded to, *lies on the Petitioners*, is totally inadmissible, and entirely opposed to all justice and equity.

The Board have examined with the greatest care the evidence adduced by the Petitioners who have appeared before them, in support of their claims to freedom, by proving their descent from native Indians; and, as the result of their inquiries, they have annexed to this Report three different Schedules.

The Schedule marked (A.) includes the names of all those who have proved their lineal descent from native Indians to the satisfaction of the Board.

The Schedule marked (B.) includes the names of a family, who, though they have not satisfactorily proved their descent, have left a strong impression upon the mind of the Board that they may succeed in finding sufficient evidence in Jamaica, from whence their ancestor, a Sambo woman, was brought to the Mosquito Shore. The Board have been very particular in their inquiries into this case, in order to enable the Law-Officer of the Crown in Jamaica to discover a sister of the Petitioners, and by her means to obtain better proof of their ancestor, who was brought from Jamaica, being descended from an Indian woman.

The Schedule marked (C.) includes the names (already inserted in the Schedule marked A.) of those against whom, though they have clearly proved their descent from native Indians, it is urged by the defendants that their ancestors were in a state of Slavery prior to the year 1741.

The Board beg to observe, that in consequence of one of the Petitioners, named Hector, having inserted in his petition the circumstance of his having been a soldier in the 6th West-India Regiment, from which he had been returned by his Commanding Officer to his former Owner, they have allowed Mr. John W. Wright, who claims him as his property, to adduce, and to enter into their Minutes, evidence tending to prove that the said Hector was a Runaway Slave at the time of his enlisting, although that enrolment took place in England; but the Board deem it incumbent on them to declare, that they have not taken this part of the Petitioners' case under their consideration, conceiving it their duty to be entirely confined to the one object of ascertaining the lineal descent of the Petitioners, and which in this case has been most satisfactorily proved to be from Indians of North-America.

In reference to that part of his Majesty's Superintendent's warrant, which directs the Commissioners to assess damages in behalf of such of the Petitioners as shall satisfactorily prove their descent from the native Indians of the Mosquito Shore, the Board, having most maturely deliberated thereon, do feel no difficulty in declaring that such persons would be entitled to damages as could be proved to have been kept unjustly and knowingly in Slavery; and therefore they have prepared and annexed to this Report a scale of remuneration, which in their judgment they deem would be a fair and equitable recompense.

The Commissioners, however, notwithstanding this explicit declaration in favor of the claims of the Indians, do feel themselves bound to declare,

that such are the extenuating circumstances, under which it appears they have long been held in bondage, as greatly, if not entirely, to exculpate their present possessors; and, therefore, that it would be unjust, except in some few cases, wherein it might be both just and proper, to charge upon them what might be considered as adequate and equitable indemnifications.

The following are some of the circumstances, which the Board deem it but just to state on behalf of the present possessors of the Petitioners:

That, by the Records of the Mosquito Shore, it appears Indians were held and publicly registered in that country as Slaves, not only by the Judges, the Magistrates, and the Settlers in general, but also by the Officers representing his Majesty on the Shore, and whose very Commissions directed them to afford them all possible protection: and they were, moreover, openly levied upon and sold under the Writs of the Courts duly authorized.

That since the removal of the present Petitioners, or their parents, from the Mosquito Shore, upon the evacuation thereof in the year 1787, they, or some of them, have, as the Commissioners understand, petitioned every Superintendent in succession to assist and protect them in establishing their claims and recovering their freedom; and that, with the exception of two cases only, which have come within the knowledge of the Board, they have invariably been referred to the Magistrates for the time being.

The two cases alluded to were,

First, that which occurred during the Superintendency of Colonel Edward Marcus Despard, who actually released one family of Spanish tributary Indians; and the other took place during the time of the last Superintendent, Colonel John Nugent Smyth, who, upon a Petition from a family of Indian extraction, instituted a process in the Court of the Settlement for the establishment and recovery of their freedom; but the issue of the trial was, although the Indian descent of the family was both clearly proved and admitted, that the Jury, notwithstanding, returned a verdict which confirmed the Slavery of the parties.

That it has been the constant practice of this country, as it was on the Mosquito Shore, to levy upon all Slaves, whether Indians or of Indian descent, under writs of execution for debt, and to sell them publicly in the presence of, and under the authority of, the Courts in all respects as Negro Slaves.

That many of the Petitioners who have appeared before the Board, from their repeated admixtures with the African race, have so lost the appearance of their Indian origin as not to be distinguished from Negro Slaves; and in many cases have been bought and sold as such, without the least suspicion to the contrary; and the present possessors will now, many of them, necessarily become heavy sufferers in the loss of property, which they considered they legally held.

Under, therefore, all the circumstances of the case, the Commissioners consider it would be unjust, in addition to the actual loss of property which many of them must sustain, to burthen the present possessors with damages and penalties for crimes, which did not originate with them, and for holding property, which until now, they have considered themselves entitled to, both under the Legal Authorities of the Mosquito Shore for nearly a century past, and of this country since the removal of the Settlers and their properties hither in the year 1787.

In conclusion, the Board would, moreover, remark, that in consequence of the great length of time which the Petitioners have been considered as Slaves, they have passed through the hands of many persons, whose estates, as well as many of those of the importers of the Indians from the

Mosquito Shore, are either insolvent or without representatives; and therefore that attempts to recover damages would not only create much painful and tedious litigation and re-action, but that, if the Petitioners should substantiate any claim to indemnification, the damages thereof must necessarily, in most cases, fall upon the last purchasers, it being highly improbable that they could recover them from the holders prior to themselves, which the Board, upon the best of their judgment, have already deemed unjust, and, more especially when the loss of the principal or purchase-money, which such persons will sustain, be taken into consideration.

Finally, therefore, the Board conceive, that although, if the complainants or Petitioners be free, their freedom is an inherent or unalienable right, of which no consideration can deprive them, yet, with respect to any damages which may be their due, their claims should only attach in equity unto those who have unjustly brought or held them in bondage; and that, in the event of the estates of such persons being insolvent, unrepresented, or extinct, the Petitioners' claim should be considered in the light of private debts; and consequently subject, like other debts, to the contingency of insolvency.

*Court-House, Belize, Honduras,
8th February, 1822.*

AN ACCOUNT
OF
THE DESCENT MADE BY THE SPANIARDS
ON
THE SETTLEMENT OF HONDURAS
IN THE YEAR 1798.

[Mention having been made in the preceding pages of the good conduct of the Negroes of Honduras in resisting the attack of the Spaniards on that Settlement in the year 1798, the Printer of this "Defence" cannot forego the pleasure he feels in extracting from the columns of the Royal Gazette of that year the account, which was then published, of this gallant affair; and, although it is without the knowledge and sanction of the Magistrates, he trusts that it will notwithstanding meet with their approbation. He is the more induced to do this, from the consideration that this Book will fall into the hands of many who are unacquainted with the circumstances; and he conceives that so honorable a testimony, not only to the gallantry of the small band of White Settlers, but also to the devotion and zeal of the Negroes in the defence of their Masters' lives and properties, ought to be rescued from oblivion, and brought before the view of the Members of the Imperial Parliament, Lords and Commons, the People of Great-Britain, and their Fellow-Colonists in these climes.]

KINGSTON, JAMAICA, Nov. 3, 1798.

Capt. Edwards, of the sloop *Happy Return*, which arrived at Black-River on Saturday last from Honduras, with Dispatches for Lord Balcarres, came to this town on Thursday, and brought with him Letters, containing accounts of an unsuccessful attack made by the Spaniards on our possession there, which our readers will find amply detailed below.

Capt. Edwards arrived at Honduras from this island on the 12th ult. two days after the defeat of the enemy, who were still, however, upon the Coast; but upon their perceiving an augmentation of the British force, consisting of the *Happy Return*, a ship, and two other vessels, together with the North seasons having set in, which rendered it less practicable for them to gain their own ports in case of defeat, should they risk another attack, they made off, and were dogged by some of our craft to their posts on the coast. They afterwards visited Key-Chappel, where the

Spaniards had rendezvoused, and found it covered with graves; but whether they contained the bodies of those who fell in the attack, or of those who had fallen victims to the flux (which, some prisoners that were taken said, was raging amongst them,) could not be ascertained. Although fears are expressed by the Inhabitants of another attack, we are assured by Capt. Edwards, that at this time of the year nothing is to be feared from them. From the time of collecting the Spanish troops, and the putting in execution their intentions, desertion had been general, and the people had openly expressed their aversion to the expulsion of the British from Honduras.

Capt. Edwards also mentions the gallant conduct of Capt. Osmar, an American, who had lost his vessel on a reef. When the attack was threatened, he solicited and obtained the command of a flat, and in a creek he sustained at one time an action against five of the Spanish gun-boats, and at another time against seven, in both of which he succeeded in beating them off.

Extract of a letter from Honduras, dated the 20th September, 1798.

"Soon after the date of my last, it was discovered that the enemy meant to direct their first attack upon the Merlin, and in aid of her a flotilla of gun-boats, some of which mounted nine and others eighteen pounders, were hastily prepared, with which Capt. Moss took his station at St. George's Key, where the navigation suited his operations better than at Belize. On the 3d inst. the enemy attempted to force a passage over the shoals, but was repulsed; on the 6th a similar attempt was made, with equal disappointment; and on the 10th they came down with thirteen of the heaviest vessels, to attack our little fleet, by another and deeper channel: The Spaniards approached with spirit, and their appearance was confident. As soon as Capt. Moss thought them within reach of our gun-boats, he made the signal to fire on the enemy, which was done with great effect. The contest was short; for the Dons, unable to stand our fire, cut their cables and retreated in the utmost confusion, and four of them would have fallen into our hands had not the approach of night saved them. On the 15th, seven of the Campeachy vessels stole off, and were then supposed to have returned to that port, and the remainder, being 23, were seen standing to the Northward, supposed to be bound to Bacalar. This retreat gave us all much pleasure, and we expected a small relaxation from military duty; but a scout-boat last night brought information that the enemy are again collecting at Bazil Jones's Channel, the same place where they were at the date of my last. We do not know the exact loss of the enemy, but it must have been considerable; we did not lose a man. Capt. Moss gives credit to the spirit and conduct of our little fleet, which was manned by a very few white men, of little or no experience, the rest all negroes. I observe the exact state of the enemy's fleet, as collected at Cape Catouche, detailed in your Gazettes; and it appears strange, if that account be credited, that no attention was paid to us, nor even a vessel sent to inquire whether we had fallen to so superior a force or not. The two frigates mentioned in that account approached no nearer than Cornuel, from whence, we learn, they returned to La Vera Cruz. I cannot conclude without observing, that if we do not soon receive further force and supplies of all sorts from Jamaica, we must inevitably fall."

Extract of another letter, dated Sept. 25, 1798.

"We have been for two months under arms and martial law, with a powerful force of the enemy in our neighbourhood; several of their armed vessels were seen from our houses many days cannonading our armed craft—this armament first were heard of on our coast, a little to the Northward, on the 18th of July. Their heaviest gun-boats and armed vessels came from Campeachy with a considerable number of troops. When the Yucatan forces under Captain-General O'Neil were ready, a junction was formed, and the whole approached near the Key-Chappel; we had reason to suppose they intended to possess themselves of St. George's Key, and throw up works there to harass us at leisure. Our first step, therefore, was to destroy all the houses on it; we then armed five of our country sloops and schooners with 9 and 18 pounders in the prows and smaller guns in the waste, with seven of our logwood flats, secured with additional timbers, manned with 16 or 20 men each, and mounting a nine-pounder; these were fitted and equipped as well as the shortness of the time would admit, and that small force, with the Merlin sloop of war, took their station in the channel at St. George's Key, in order to dispute that passage with the enemy: We knew it was the only way they could come to attack the town, without going round by sea to English Key; and in attempting that, they would be seen by our little fleet, who could have come in before them by the inside channel, except the Merlin, that must have followed them, and had an advantage at sea. In this station our craft remained in sight of, and very near to, the enemy's force for several days; some of our vessels occasionally approached and cannonaded the enemy without receiving injury, or, I believe, doing much to them, until Monday the 10th of this month, when several of their armed vessels, under full sail, came forward very boldly to attack our little fleet; nine of their largest gun-vessels (mounting each two 24-pounders, besides smaller cannon,) commenced the engagement, and continued a very brisk and heavy cannonade for about an hour and a half—our craft kept up a constant and well-directed fire during that time—from the tops of our houses those who remained there could see the smoke and fire—the atmosphere appeared in a blaze. The Merlin discharged several broadsides, and each of the guns in our flats fired twenty-two shots; our sloops and schooners were very active: it was at length clearly seen that the enemy were in confusion, four of their vessels aground, and their fire slackened. You will be astonished to hear that our Negro men (who manned the fleets) gave a hearty cheer, and in the midst of a firing of grape, kept up upon them from the Spanish vessels that covered those which were aground, those Negroes in an undaunted manner rowed their boats, and used every exertion to board the enemy: but Capt. Moss, who directed every thing, called back the flats (from motives of prudence), first by signal, and then by sending a boat. The enemy with some difficulty got off the vessels, but they must have suffered very considerably; the whole of them instantly retired, and, after remaining in sight two days, returned to their own ports. We lost no men, and we are now again in a state of quiet for the present. The Spaniards had about 2000 land-troops; and from some prisoners, captured in a small vessel since the engagement, we find they had 3000 more men that were to come from Baccalar, when the first part could effect a landing at St. George's Key, and send back vessels to bring them.

"We expect another visit soon; and if we do not receive some support of vessels of war, ammunition, and cannon, I much fear we shall fall at

last : Troops we do not so much want, although a few would be necessary. In these two months of Martial Law, the Militia has done all the duty, taken the night-guards, repaired the works, and thrown up new *enés*, &c.; and our Negro men are embodied, and there has not been one instance of the smallest misconduct on their part."

So confident were the inhabitants of Baccalar of the success of the expedition, that the letters, intercepted with the above prisoners, were directed to the Officers, &c. at Honduras, requesting some articles of British manufacture that they stood in need of.

FROM THE LONDON GAZETTE.

WHITEHALL, JANUARY 22, 1799.

LETTERS, of which the following are copies, were yesterday received from the Earl of Balcarres by his Grace the Duke of Portland, one of his Majesty's Principal Secretaries of State.

Jamaica, Nov. 7, 1798.

MY LORD,

On the 31st of October I received a dispatch from the Bay of Honduras. Lieutenant-Colonel Barrow informs me, that the Settlers had been attacked by a flotilla, consisting of thirty-one vessels, having on board two thousand land-troops and five hundred seamen: Arthur O'Neil, Governor-General of Yucatan, and a Field-Marshal in the service of Spain, commanded in person. I have great satisfaction in transmitting the letter of the Lieutenant-Colonel, by which your Grace will be informed, that this armament has been repulsed, and the expedition entirely frustrated.

The Lieutenant-Colonel speaks in the handsomest manner of the conduct of Capt. Moss, of his Majesty's ship *Merlin*, and of the wonderful exertions of the Settlers and their Negro Slaves, who manned the gun-boats.

The conduct of Lieutenant-Colonel Barrow, and of the Settlers, in putting the port of Honduras Bay into a respectable state of defence, as well as the gallant manner in which it was maintained, gives me entire satisfaction, and it is with pleasure that I report their services to your Grace.

I have the honor to be, &c.

BALCARRES.

To his Grace the Duke of Portland.

Honduras, Sept. 23, 1798.

MY LORD,

After the date of my last dispatch of the 11th, 14th, and 21st August, by the express boat *Swift*, I continued to strengthen our flotilla, which now consists of

No. 1. Towser, 1 gun, eighteen-pounder.

No. 2. Tickler, 1 gun, eighteen-pounder.

N

No. 3. Mermaid, 1 gun, nine-pounder.

No. 4. Swinger, 4 guns, six-pounders, and 2 guns, four-pounders.

No. 5. Teaser, 6 guns, four-pounders.

Besides eight flat gun-boats, carrying each a nine-pounder in the prow. Nos. 1 and 2 are commanded by Mr. Gelston and Mr. Hoamer, Masters of merchant-vessels, who, with some of their crews, volunteered the business in a very handsome manner: To those Gentlemen I am much indebted for their able and active services. The Masters and crews of all the other vessels consist entirely of volunteers from the Colonial troops, and together amount to 364 men now on float. The enemy was so well watched by scout-boats and canoes, that not a single movement could be made by him without our knowledge; and, finding that he aimed at the possession of St. George's Key, the armed vessels, Nos. 1, 4, and 5, were sent to that place, to guard the narrow channels leading to that commodious harbour.

On the 3d of September, the enemy endeavoured to force a passage over Montego-Key Shoal with five vessels, two of which carried heavy metal, but was repulsed: He renewed his attempt on the following day; but our little squadron, being now reinforced by six gun-boats, beat them off with great ease, and the five vessels returned to the main body of the fleet, then at anchor about two leagues to the Northward. This movement gave our people an opportunity of drawing and destroying all the beacons and stakes, which the enemy had placed in this narrow and crooked channel, and without the use of which nothing but vessels of a very easy draught of water can pass. On the 5th, the same vessels, accompanied by two others, and a number of launches, endeavoured to get over the shoal by another passage, but were repulsed, apparently with loss. On this, as well as on the two preceding days, the Spaniards expended an immense quantity of ammunition to no manner of purpose; while our people fired comparatively little, but with a steadiness which surpassed my most sanguine hopes.

Capt. Moss, in his Majesty's ship *Merlin*, left his anchorage at Belize on the evening of the 5th, and arrived at St. George's Key about noon on the 6th, of September. The Spaniards, having found a passage through the leeward channels impracticable, had got under weigh on the morning of that day with their whole fleet, seemingly with a view of forcing a passage through the windward (a sand-bore) passage, to the Eastward of Long-Key; but on seeing the *Merlin* beating into the harbour of St. George's Key, and that our fleet was reinforced by the armed vessels Nos. 2 and 3, and a large gun-boat, they returned to their former anchorage between Long-Key and Key-Obappel.

I was now of opinion that the enemy would alter his mode of attack, and endeavour to make a landing on the main land to the Northward of our posts, at the Haul-over. Under this idea I began to prepare small vessels and gun-boats, in which I meant to embark with 200 men, including detachments of his Majesty's 63d and 6th West-India regiments, and of the Royal Artillery, with one howitzer and two field-pieces, six-pounders: With this force it was my intention to block up the channel between the Main and the Western point of Hicks's Keys, and to obstruct as much as possible a landing in that quarter; or, if foiled in both of these objects, to throw the whole strength into the works at the Haul-over, and to defend that post to the last extremity; while a body of experienced bush-men, all good shots, and under orders for that purpose, should hang on the flanks and rear of the enemy.

On the morning of Monday the 10th of September, fourteen of the largest vessels of the Spanish fleet weighed anchor, and at nine o'clock

brought to about a mile and a half distant from our fleet. Capt. Moss was then of opinion that they meant to delay the attack till the following day; but nine of them got under weigh about noon: These carried each two twenty-four-pounders in the bow, and two eighteen-pounders in the stern; one schooner carried twenty-two, and all the rest from eight to fourteen guns in their waist; and every one of them, besides being crowded with men, towed a large launch, full of soldiers. The other five vessels, with several large launches, all full of men, remained at this last anchorage at the distance of a mile and a half.

Our fleet was drawn up with his Majesty's ship *Merlin* in the centre, and directly abreast of the channel: The sloops with heavy guns, and the gun-boats in some advance to the Northward, were on her Eastern and Western flanks.

The enemy came down in a very handsome manner, and with a good countenance, in a line abreast, using both sails and oars. About half after two o'clock Capt. Moss made the signal to engage, which was obeyed with a cool and determined firmness, that, to use his own expression to me on the occasion, would have done credit to veterans. The action lasted about two hours and a half, when the Spaniards began to fall into confusion, and soon afterwards cut their cables, and sailed and rowed off, assisted by a great number of launches, which took them in tow.

Capt. Moss, on seeing them retreat, made the signal for our vessels to chase; but night coming on, and rendering a pursuit too dangerous in a narrow channel and difficult navigation, they were soon after recalled.

At half after three in the afternoon, I received a letter from Capt. Moss, stating that the enemy was preparing to attack him, and requiring all the assistance which I could give. I immediately ordered as many men to embark and proceed to his assistance, as small craft to carry them could be procured. The alacrity shewn on this occasion was great indeed; but, as a requisition of this nature was by no means expected, the necessary arrangements had not been made for so speedily embarking the troops, and of consequence some irregularity ensued; for the cannonade being distinctly heard, and a certainty of an engagement having taken place, it became impossible to restrain the eagerness of the Colonial troops, who, possessing canoes, dories, and pit-pans, without thought or retrospect of those left behind, hastened with impetuosity to join their companions, and share their danger: Hence arose difficulty and disappointment to the regular troops, who being under arms, and anxious to proceed with all expedition, suffered delay from want of the necessary boats and craft to embark in.

As soon as I saw seventeen craft of different descriptions, having on board two hundred men, set off with orders to rally round the *Merlin*, I immediately joined them in hopes of assisting Capt. Moss and harassing the enemy; but although we were only two hours in getting on board the *Merlin*, a distance of three leagues and a half in the wind's eye, we were too late to have any share in the action. But I am of opinion, that the sight of so many craft, full of men, coming up with velocity, hastened the return of the enemy, and that their appearance on the following day, as well as the junction of two armed ships, the *Juba* and *Columbia*, which I had ordered round to St. George's Key on the 9th, induced the fleet to prepare for returning to their respective posts. The Spaniards remained under Key-Chappel until the 15th, on the morning of which they made various movements, and in the course of the day some of them anchored under Key-Caulker. On the morning of the 16th, it was discovered that

they had stolen off; eight of their largest vessels got out to sea, and stood to the Northward; the remainder, being twenty-three in number, shaped their course for Baccalar.

We have every reason to believe that the enemy suffered much in the action of the 16th, as well in killed and wounded as in the hulls and rigging of the vessels engaged; and I am happy to inform your Lordship that we had not a single man hurt, and that no injury was done to any of our vessels, deserving of notice.

It would be unjust, my Lord, to mention the names of any Officers, either of the Military or Militia, on account of any particular service performed by them; for, the conduct of all being such as to merit my best thanks, no particular distinction can be made.

It is also unnecessary for me to say any thing respecting Capt. Moss: His penetration in discovering, and activity in defeating, the views of the enemy; his coolness and steady conduct in action, point him out as an Officer of very great merit. He first suggested to me the very great use, which might be made of gun-boats against the enemy, and gave me much assistance by the artificers belonging to his ship in fitting them out. I am happy to say, that the most cordial co-operation has always existed between us. On the 13th inst. I sent out two scout-canoes, well manned, with orders to pass the Spanish fleet in the night; and, proceeding to the Northward, to board the first small vessel they could fall in with. On the 16th, they captured a small packet-boat with five hands, when, taking out the prisoners, letters, &c. and destroying the boat, they returned here on the 17th. At day-light of that day the canoes were entangled with the retreating Spanish fleet near Savanna-Quay, and escaped with difficulty.

The expedition was commanded by Arthur O'Neil, a Field-Marshal in the armies of Spain, and Captain-General of the Province of Yucatan. The Campeachy fleet was commanded by Capt. Bocco Negra: Two thousand soldiers were embarked, and distributed in proportion to the dimensions of the vessels, on board of the fleet, which consisted of

The vessels which made the attack, in number	9
Reserve of equal force	5
A large sloop of equal force, and six schooners, not so large, But armed in the same manner as those which came down to the attack, and, drawing too much water, remained with the transports and victuallers	7
Transports, victuallers, &c. all carrying bow and side guns of different calibres	11

Total - - - - - 32

And navigated by five hundred seamen, principally from the Havanna and Campeachy.

I am, &c.

THO. BARROW,
Lieutenant-Colonel Commandant.

To the Earl of Balcarres,

(True Copy.)

BALCARRES.

ADMIRALTY-OFFICE, JAN. 22, 1798.

Extract of a Letter from Vice-Admiral Sir Hyde Parker, Knt. Commander of his Majesty's Ships and Vessels at Jamaica, to Evan Nepean, Esq. dated on board his Majesty's Ship Abergavenny, in Port-Royal harbour, the 6th. Nov. 1798.

SIR,

You will be pleased to acquaint the Right Honorable the Lords Commissioners of the Admiralty, that I have received dispatches from Capt. Moss, of his Majesty's sloop *Merlin*, dated Honduras, 27th September, a copy of which, describing the defeat of the Spanish flotilla, is herewith inclosed.

Merlin, St. George's Key, Sept. 27, 1798.

SIR,

My letters by the *Swift* schooner, which sailed from Honduras express on the 21st of last August, have informed you of the enemy's force intended for the reduction of this Settlement, and their situation at that time; since which our look-out canoes have watched them so closely, that all their movements were made known to me as they happened. On the 4th of this month they were visible from our mast-heads at Belize, and the look-outs reported to me thirty-one sail of all descriptions; but their exact force by no means certain. The next day six of their heaviest vessels attempted to force their passage over Montego-Key Shoal; by putting their provisions and stores into other vessels: Had they effected this, it would have secured them all a passage to Belize over shoal water, where I could by no means act. I ordered three of our armed vessels to annoy them in their endeavours, which succeeded so far as to occasion their removal at dark, and a small channel they had marked by driving down stakes was also taken up by our canoes. I now clearly saw that their next effort would be to get possession of St. George's Key, from which place (only nine miles from Belize) they might go down through the different channels leading to it, and continue to harass the Inhabitants and destroy the town at their leisure, and drive me from my anchorage there: This determined me to gain the Key before them, if possible; I therefore left Belize on the evening of the 5th, and secured this place, at the instant twelve of their heaviest vessels were attempting the same: they hauled their wind and returned to Long-Key, on my hauling my wind towards them. They continued working and anchoring among the shoals until the 11th, at the distance of three or four miles; when having made their arrangements, at one P. M. nine sail of sloops and schooners, carrying from twelve to twenty guns, including two twenty-four and two eighteen-pounders each had in prow and stern, with a large launch astern of each, full of men, bore down through the channel leading to us in a very handsome cool manner; five smaller vessels lay to windward, out of gun-shot, full of troops, and the remainder of their squadron at Long-Key-Spit, to wait the event; each of which carried small prow guns, with swivels fore and aft. At half-past one P. M. seeing their intention to board the two sloops, and that they meant to come no nearer, but had anchored, I made the signal to engage, which began and continued near two hours; they then cut their cables, and rowed and towed off, by signal, in great confusion, over the shoals. I had placed the *Merlin*

as near the edge of them as possible, and nothing that I had was equal to follow them, unsupported by the Merlin. At dark they regained their other vessels, and continued in sight till the 15th at night, when they moved off with a light Southerly wind: Some are gone to Baccalar, and some prisoners taken report others to Campeachy. I am happy to add that the service was performed without a man killed on our side. The enemy, I think, must have suffered much from the great number of men on board, and the precipitate manner they made their retreat. This armament was commanded by Gen. O'Neil, Governor of the Province; troops and sailors included, about two thousand five hundred men; and so certain were the Spaniards of success, that the letters found in a canoe taken were actually directed to Belize and St. George's Key.

The behaviour of the Officers and crew of his Majesty's ship gave me great pleasure, and, had we had deep water to follow them in, I think many of them would have fallen into our hands. The spirit of the Negro Slaves that manned our small crafts was wonderful, and the good management of the different Commanders does them great credit.

Our force, besides the Merlin, as follows:

Two sloops, with one 18-pounder and 25 men.

One sloop, with one short 9-pounder and 25 men.

Two schooners, with six 4-pounders and 25 men each.

Seven gun-flats, with one 9-pounder and 16 men each.

I have the honor to be, Sir, &c.

JOHN R. MOSS.

THE END.



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